
Appeal Decision

Site visit made on 26 October 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 06 November 2020

Appeal Ref: APP/M1710/W/20/3250413

Hill Brow, 61 Medstead Road, Beech, Alton GU34 4AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Fazakerley against the decision of East Hampshire District Council.
 - The application Ref 25172/006, dated 30 November 2018, was refused by notice dated 7 October 2019.
 - The development proposed is construction of a three bedroom chalet bungalow with associated access, amenity and parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David Fazakerley against East Hampshire District Council. This application is the subject of a separate Decision.

Procedural Matter

3. Since the Council's decision was issued, the Beech Neighbourhood Development Plan 2019- 2028 (NP) has been subject to Examination, with the Independent Examiner's Report produced on 4 May 2020. The Council has issued a decision statement for the NP confirming that the modifications proposed by the examiner's report have been accepted, and that the submission NP has been altered as a result. Moreover, the decision statement confirms that the NP, as modified, may now proceed to referendum. During the appeal process, in response to the coronavirus (COVID-19) pandemic, updated Planning Practice Guidance regarding neighbourhood planning was introduced. This sets out that where the local planning authority intends to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making¹. I have had regard to comments made by the main parties and interested parties about this change, and to the NP in the determination of this appeal.

Background

4. The Council's decision notice includes one reason for refusal of planning permission. It indicates that the main concern with regards to the proposed

¹ Paragraph: 107 Reference ID: 41-107-20200925

new access and parking area is the impact on the character and appearance of the area. However, the Council's officer report notes that two parking spaces are shown on the proposed drawings and the parking and turning area appears to be cramped. Interested parties have expressed concern that the proposal would not have adequate parking provision and the effect of this on highway safety.

5. I invited further comments from both main parties in regard to the parking provision and have addressed this matter as a main issue in my reasons below.

Main Issues

6. In the context of the above, the main issues are (i) the effect of the proposed access and parking area upon the character and appearance of the area; and (ii) whether the proposal would provide adequate parking provision, having regard to highway safety.

Reasons

Character and appearance – access and parking area

7. The appeal site lies on the south east side of Medstead Road. Although some properties in the area have wide driveways, and a few have 'hard' frontages with brick walls and limited vegetation within the plot between the house and the road, most properties have high hedges and other foliage along the road frontage. The street-scene in Medstead Road is therefore predominantly rural in character by virtue of the combination of the low density and hence scattered nature of development and the presence of trees, boundary hedgerows and other foliage within the front of plots.
8. The previously existing hedgerow and noticeably raised bank alongside the road, which the Council indicate was in existence at the site around the time of an earlier application² for development, are not in evidence along the road frontage other than a small area of raised bank around an existing telegraph pole. The site frontage now mainly comprises an area of sloping grassed bank in addition to the existing driveway leading to the host property, which is sited some distance back from the road. There is also a mature hedgerow running from the road frontage towards the rear of the site along the boundary with No 59 Medstead Road. The area of sloping grassed bank and hedgerow, by virtue of the openness of the site frontage, are readily visible from the public domain and so positively contribute to the prevailing soft and verdant appearance of property frontages in the area.
9. The proposal is to construct a three bedroom chalet bungalow within the deep front garden of the host property, with a new vehicular access off Medstead Road and a parking area to the front. The proposed new access and hard surfaced parking area would be positioned alongside the existing access driveway and would extend across most of the remaining width of the site.
10. There would be no requirement to lower or excavate any existing raised banks or remove any hedgerow either side of the appeal site along Medstead Road to achieve the required sight lines at the proposed new access. However, the proposed access and parking area would substantially replace the area of sloping grassed bank at the site frontage and require the removal of a section

² Planning application reference: 25172/005

of hedgerow along the boundary with No 59. Consequently, soft and verdant features at the front of the site would be replaced by the proposed 'hard' access and parking area. In this regard, the development would be at odds, and hence out of character, with the prevailing soft and verdant appearance of property frontages in the area.

11. Some new planting is proposed at the road frontage either side of the proposed access and adjacent to the existing access. However, notwithstanding the proposed planting, taking into account the extent of the proposed parking area and its proximity to the road, it would still be very readily visible from the public domain and so would have an adverse effect on the street-scene in the context of the predominantly rural character of the area.
12. For the reasons outlined above, the proposed access and parking area would result in harm to the character and appearance of the area. In this regard, the proposal would conflict with the design and landscape character protection aims of Policies CP20, CP29 and CP31 of the East Hampshire District Local Plan: Joint Core Strategy (2014) (JCS) which, amongst other things, seek to ensure that new development contributes to the distinctive character of the landscape and is sympathetic to its setting in terms of landscape features. It would also conflict with Policy BPC07 of the emerging NP which seeks to ensure development proposals retain as many hedges and landscape features that contribute to the character of the area as possible.

Parking provision

13. The JCS sets out the spatial vision and objectives of East Hampshire District up to 2028, with the strategic policies necessary to deliver that vision. Policy CP31 of the JCS is one such strategic policy and it sets out, amongst other things, the requirements for parking provision and refers to the Council's adopted standards.
14. Medstead Road in the vicinity of the appeal site is narrow with no dedicated footway. The site layout plan indicates that two off-street parking spaces would be provided to the front of the proposed dwelling. In this regard, the proposal would accord with the Council's adopted 'Vehicle Parking Standards' Supplementary Planning Document (2018) (SPD) which indicates a requirement of two parking spaces for a '2/3 bed dwelling'. While the SPD does not form part of the development plan it is, nonetheless, a material consideration in the determination of this appeal.
15. The emerging NP explains that car ownership in Beech is high. The Neighbourhood Plan Questionnaire responses show that over 85% of households own two or more vehicles compared to the national figure of 24.66%. Moreover, due to a policy of on-property parking, Beech is not beset with on-street parking and congestion. It is against this background that the NP explains that Policy BPC12 (Planning for Parking) is required in order to minimise obstruction of the local road network, in the interests of the safety of all road users, including pedestrians, horse riders and cyclists.
16. Policy BPC12 states that development proposals that generate increased need for parking should provide adequate and suitable off-street parking. All new homes should usually include, within the development site, a minimum of one parking space per bedroom for each of the home's first three bedrooms. The supporting text to the policy explains that the policy reflects the fact that

the narrow roads and traffic volumes in Beech would make on-street parking an unacceptable health and safety risk for its residents.

17. The proposed dwelling would have three bedrooms and so should include a minimum of three parking spaces within the development site. Thus, in this regard, the proposal would fall short, by one, the number of parking spaces that should usually be provided.
18. I acknowledge that no objection was raised by the Highway Authority in regard to parking provision. However, I have not been presented with any substantive evidence to demonstrate that, in this case, a relaxation of the requirement of Policy BPC12 in terms of the required number of parking spaces would not lead to on-street parking in the context of the relatively high car ownership amongst the residents of Beech. While I did not see any evidence of parking on the highway in the vicinity of the site at the time of my visit (around 12:00 noon) this represents only a snapshot in time. In any event, I cannot be certain, based on the evidence before me, that in the event the appeal is allowed the development would not result in on-street parking that would cause harm to highway safety in the context of the reason for Policy BPC12 of the emerging NP.
19. Having regard to paragraph 48 of the National Planning Policy Framework (the Framework) weight may be given to relevant policies in emerging plans. For the reason set out above, the emerging NP is afforded significant weight in terms of decision making. Furthermore, paragraph 21 of the Framework indicates that detailed matters, such as this main issue, can be more appropriately dealt with through neighbourhood plans than strategic policies.
20. The proposal would accord with the Council's SPD, which is a material consideration. However, for the above reasons, by virtue of providing only two parking spaces, the proposed development would not accord with Policy BPC12 of the emerging NP which requires, in the interests of highway safety, development proposals to provide adequate parking and new homes to usually include a minimum of one parking space per bedroom for each of the first three bedrooms. It would also not accord with the strategic aims of Policy CP31 of the JCS which requires development proposals to provide adequate parking.

Other Matters

21. Interested parties have raised concerns over other matters including privacy, outlook, loss of light, the size and shape of the plot to accommodate a dwelling, increased surface water run-off and increase of traffic on Medstead Road. However, those matters did not feature in the Council's reasons for refusal of the planning application. As I am dismissing the appeal for other reasons, it is not necessary for me to explore those issues further.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR