
Appeal Decision

Site visit made on 5 January 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 March 2021

Appeal Ref: APP/N1730/D/20/3259713
35A Basingbourne Road, Fleet GU52 6TG

- 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 Neil Weston against the decision of Hart District Council.
 - The application Ref 20/00884/HOU, dated 16 April 2020, was refused by notice dated 6 August 2020.
 - The development proposed is erection of single storey front and rear extensions, raising of roof, insertion of two dormer windows to front, two dormer windows to rear and a window to each side to facilitate the conversion of the roof space to habitable accommodation, conversion into habitable accommodation following demolition and enlargement of existing double garage, alterations to fenestration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted retrospectively in part. On my site inspection, I saw that the replacement garage has been built, and that a single storey extension has been constructed to the rear of the dwelling. The internal accommodation within the garage is not as shown on the application drawings. I have dealt with the appeal on the basis of the appeal scheme before me.
3. Some planning application drawings were amended prior to determination, and I sought clarification from the parties in respect of the refused plans. Accordingly, my decision is based on drawings which include plans 1209-003 Rev G, 1209-004 Rev D and 1209-005. I note that the latter has part-superseded drawing Ref 1209-002 Rev E in respect of the proposed ground floor plan only. I have dealt with the appeal accordingly.

Applications for costs

4. Applications for costs were made by Mr Neil Weston and Hart District Council against each other. These applications will be the subject of separate Decisions.

Main Issues

5. The main issues are:
 - The effect of the appeal scheme on the character and appearance of the area; and

- The effect of the appeal scheme on the supply of single storey properties within Fleet Parish, which are suitable for independent occupation by persons of limited mobility.

Reasons

Character and appearance

6. The appeal property comprises a modest, detached, hipped roof bungalow, located within a suburban residential area. It lies to the rear of 37 Basingbourne Road, and is accessed via a short access drive which is shared with several other residential properties.
7. The appeal scheme comprises a substantial increase in the scale, bulk and massing of the existing dwelling, altering it from a bungalow to a chalet bungalow. I saw during my site visit that there are a variety of dwelling styles within the vicinity of the appeal site. In addition to bungalows, there are chalet bungalows and two storey houses in Basingbourne Road and Award Road close to the appeal site. These include the property to the side of the appeal site at 35 Basingbourne Road, which has been extended at roof level to form a chalet bungalow with front and rear dormers. This property has a similar eaves height as the appeal property and a ridge height which is almost as high as that of the appeal scheme.
8. As such, the proposed extensions to the dwelling would not be out of keeping with the prevailing residential development within the site locality, and would not appear incongruous within the street scene. The set-back position of the appeal property in relation to the access lane and Basingbourne Road, and mature landscaping within the site vicinity would also serve to reduce the visual impact of the enlarged property.
9. The Council has drawn my attention to a condition of the original outline planning permission for the appeal property which restricts the building to single storey, in order to ensure that it would not appear out of keeping with surrounding development. Whilst a material consideration, this decision dates back to over 30 years ago. The evidence before me, from my site inspection, is that the surrounding development has altered notably since then, given the mix of property types that I saw. I must determine this appeal having regard to the existing surrounding development.
10. Planning application drawing Ref 1209-001 confirms that the previous garage at the appeal site comprised a flat-roofed structure with a square, double-garaged size footprint. As such, I find that although sited to the front of the bungalow, its combined height, width, depth and flat roof form meant that the building would have appeared subsidiary in scale and function to the host property, and that it would not have detracted from the frontage of the bungalow.
11. The appeal scheme has replaced this building with a significantly larger structure, having a greater footprint and length, and including a steep pitched roof, adding much massing and height to the building. As such, the building is of a scale that would visually compete with the extended chalet property, not appearing subordinate to it. This discordant relationship with the enlarged host property would be accentuated by the close position of the annexe building directly in front of the dwelling. With a building width of approximately half that

of the dwelling and a deep pitched roof, it would obscure a large part of the frontage of the host property, including a large part of one of the front dormer windows.

12. When approaching the appeal site, the pitched roof of the annexe would appear noticeably higher than that of the flat-roofed part of the host property, within which it would be in close proximity. The combined building height, length extending close to the site boundary with No.37, and incorporation of 3 large windows within its frontage-facing side elevation, all serve to draw attention to the outbuilding. Accordingly, it would have an unduly bulky and visually dominant appearance in relation to the proposed chalet property, and would appear cramped in relation to the host property and the site boundary with No.37. Notwithstanding existing mature landscaping around the site, this relationship with the host property would be apparent from outside the site, due to the position of the building opposite the site entrance.
13. For the avoidance of doubt, and having regard to the Council's third reason for refusal, I have determined this appeal on the basis that the outbuilding is proposed to provide accommodation incidental to the use of the main dwelling. Notwithstanding this, I find that in terms of its visual impact, the combined height, bulk, scale, massing, roof form and fenestration of the building and its detached position in relation to the host property, serve to give the appearance of a separate dwelling, and that this contributes to its incongruous relationship with the host property.
14. For the above reasons, I conclude that the appeal scheme would cause significant harm to the character and appearance of the area. As such, it would be contrary to Policy NBE9 of the *Hart Local Plan (Strategy and Sites) 2032* (2020) (the HLPSS), Saved Policy GEN1 of the *Hart District Local Plan (Replacement) 1996-2006* (2020) (the HDLP) and Policy 10 of the *Fleet Neighbourhood Plan 2018 – 2032* (2019) (the FNP). These policies, amongst other things, aim to ensure that development proposals seek to achieve a high quality design, positively contribute to the overall appearance of the area, and are in keeping with the local character by virtue of their scale, design, massing, height, prominence, layout and siting.
15. For similar reasons, the development fails to accord with guidance in Chapter 12 of the *National Planning Policy Framework 2019* (the Framework) which requires high quality design.

Supply of single storey properties

16. Policy 11 of the FNP seeks to maintain the stock of bungalows within the Fleet Parish area for use by people of limited mobility, including people with disabilities and older residents, recognising that there is a limited stock of suitable properties for the increasing number of older persons to downsize to and continue to live independently, and that much of the smaller accommodation comprises flatted accommodation.
17. The appeal scheme would convert the existing modest bungalow into a significantly larger two-storey property, including 4 bedrooms, a family bathroom and an en-suite at first floor level, together with an annexe to be used as a gym, wet room, reception room and mobility store, which the appellant has stated would provide exercise and recreational facilities for the

enjoyment of the property's occupier. As such, the appeal scheme fails to comply with first criterion of Policy 11.

18. The appellant has advised that the appeal scheme is intended to provide improved family accommodation, including providing sufficient space for an elderly and disabled parent to reside at the property and vacate another property. However, there is little substantive evidence before me to show how the proposal would secure the retention of the accommodation that Policy 11 seeks to retain. No specific details are provided in respect of the other property to be vacated, and the appeal proposal does not include specific details of how that family member would be accommodated within the proposed accommodation and would live independently within the property. As such, on the basis of the evidence before me, I am not persuaded that the appeal scheme would satisfactorily address the objectives of FNP Policy 11.
19. Furthermore, the Planning Practice Guidance¹ confirms that, in general, planning is concerned with land use in the public interest. It is probable that the appeal scheme would remain long after the current personal circumstances of the appellant cease to be material. The benefits of family-supported living for elderly residents are acknowledged, but this does not outweigh the harm arising from the loss of independent accommodation which Policy 11 seeks to retain.
20. The appellant has referred to permitted development rights in respect of roof alterations to provide first floor accommodation as a potential fall-back position. However, no evidence has been provided to demonstrate how such accommodation could be satisfactorily provided with the existing hipped roof, nor that the appellant would genuinely pursue this option if the appeal failed. As such, this is a matter of negligible weight.
21. For the above reasons, I therefore conclude that the appeal scheme would be in conflict with FNP Policy 11 which seeks to ensure that the stock of single storey properties within Fleet Parish which are suitable for independent occupation by persons of limited mobility is not eroded as a result of proposals to convert a single storey dwelling into one with 2 or more storeys. There are no other material considerations that outweigh the conflict with Policy 11, and therefore the proposal is unacceptable.

Other Matters

22. Notwithstanding that the Framework encourages Local Planning Authorities to approach decisions in a positive and creative way, and that it encourages the effective use of land, the guidance is not unqualified, and does not address or outweigh the harm that I have identified in respect of the main issues.
23. The appellant has referred me to pre-application advice that was received from the local planning authority. Notwithstanding this, I am not bound by the advice given by the Council prior to the submission of the planning application, and it does not alter or outweigh my conclusion on the main issues.
24. Whilst the appeal scheme represents an amended scheme from that of the previously withdrawn and refused planning applications, including the removal of a built link between the annexe and the dwelling, this does not alter my findings with respect to the current proposal.

¹ Paragraph 008 Reference ID 21b-008-20140306 – 'What is a material planning consideration?'

Conclusion

25. For the above reasons, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR