
Appeal Decisions

Site visit made on 17 August 2021

by J P Longmuir BA(Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal A: Ref: APP/N1730/W/21/3266899

28 St Cross Road, Crondall, Farnham GU10 5PG

- 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 M Littleboy & Ms L Crocker against the decision of Hart District Council.
 - The application Ref 20/02127/FUL, dated 8 September 2020, was refused by notice dated 30 October 2020.
 - The development proposed is the demolition of existing conservatory and two outbuildings. Erection of a three-bedroom dwelling with integral garage. Introduction of a new access from Chaundlers Croft.
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Appeal B: Ref: APP/N1730/W/21/3272947

28 St Cross Road, Crondall, Farnham GU10 5PG

- 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 M Littleboy & Ms L Crocker against the decision of Hart District Council.
 - The application Ref 21/00101/FUL, dated 13 January 2021, was refused by notice dated 12 March 2021.
 - The development proposed is the demolition of existing conservatory and two outbuildings. Erection of a two-bedroom dwelling with integral garage. Introduction of a new access from Chaundlers Croft.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. The two appeals are on the same site. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two proposals together, except where otherwise indicated.

Main Issues

4. The main issues are:
 - the effects of the proposals on the character and appearance of the area;
 - the effects of the proposals on the living conditions of the occupants of No.14 Chaundlers Croft and No.28 St Cross Road and;

- the effects of the proposals on the Thames Basin Heaths Special Protection Area (SPA).

Reasons

The effects on character and appearance

5. The appeal site lies within the built up confines of Crondall village, within a well-established residential area. The site includes part of the corner between St. Cross Road and its junction with Chaundlers Croft, extending back along the latter towards its neighbour at No.28. The appeal site also includes part of the garden of No.28 which forms part of the gap in the frontage.
6. Both roads have pedestrian pavements from which the appeal site is visible in several places, albeit above the roadside frontage hedge. There is a predominance of semi-detached dwellings on both roads, but not completely so, indeed there is a terrace opposite No.28. The area is characterised by its fairly low density of houses, whereby the gardens form a notable proportion which contributes to the rural character of this part of the village, in contrast to its denser, more continuous centre.
7. Both schemes would demolish the existing conservatory, which is a latter addition and not sympathetic to the original house. This also would increase the gap with the neighbouring dwelling.
8. In the proposal the subject of appeal A, the new dwelling would be sited towards the front of the building line. It would occupy a considerable part of the frontage, so that it would only be 8.2m away from No.28. In elevational terms the new dwelling would have a significant length and presence as depicted in the proposed street scene. The dwelling would look cramped compared to the otherwise spacious surroundings and would attract attention, thereby spoiling the character of this part of the village.
9. In the proposal the subject of appeal B, the new dwelling would be a modest length particularly above ground floor and the roof line hipped to the extent that it forms an apex. It would be separated from the nearest dwelling, No.14 by 10.1m; moreover, the nearest part of that dwelling is single storey so that a larger gap would result at the second storey and roofline. Consequently, I find that the proposal would not look cramped and attract undue attention. It would not spoil the cohesion of the surroundings.
10. I note the plans show a frontage hedge which would help both proposals, but the new dwelling would be visible above that hedge, so it would not remedy the impact of the appeal A scheme. I acknowledge the appellants' submission on the sizes of other gardens in the area. However, it is the frontage impact not the overall garden size which is the more critical consideration.
11. I therefore conclude that the appeal A scheme would harm the character and appearance of the area, Appeal B would not be harmful. Policies NBE2 and NBE9 of the Hart Local Plan: Strategy and Sites 2016-2032 (LP1) and saved Policy GEN1 of the Hart Local Plan 1996-2006 (LP2) which seek to protect the character of the area, ensure development promotes, reflects and incorporates the distinctive qualities of its surroundings. Policy 3 of Crondall Neighbourhood Plan (NP) has similar aims. The proposal in Appeal A would conflict whilst that in Appeal B would comply.

The effects on the living conditions of occupants of No.14 Chaundlers Croft and No.28 St Cross Road

12. The siting of the dwelling in both proposals would be alongside No.14, whereby its conservatory would face towards the dwellings although there is another glazed side towards the south east. No.14 is also slightly higher.
13. Both proposals show that a 10.1m gap would be provided between the neighbouring conservatory and the new dwelling. The proposed dwelling would also be to the north. This separation helped by the height difference would mean that shadowing and overbearing enclosure impacts would not be significant.
14. The proposals would be close to No.28. However, in both cases the new dwelling would be orientated tangentially and positioned largely to the side, which would limit the impact: No.28 would still have a predominately open southern aspect.
15. Additionally, the proposed dwelling would have a solid wall facing No.14 and No.28 and which together with its orientation would mean that privacy would not be impaired.
16. I therefore conclude that the proposals would not harm the living conditions of the occupants of the adjacent dwellings.
17. Policy NBE9 of the LP1 and saved policy GEN1 of the LP2 seek to ensure provision of spaces for the occupants and no adverse impacts to amenity. The proposals would not be in conflict in this regard.

The effect of the proposals on the SPA

18. The site lies within the zone of influence of the Thames Basin Heaths Special Protection Area. This area is noted for its ground nesting heathland bird population and is protected under the Conservation of Habitats and Species Regulations 2017.
19. Having regard to the evidence provided by the Council I consider that the development could, in combination with other development in the area, have a significant adverse effect on the Special Protection Area through added recreational pressure causing disturbance to the bird population. It is therefore necessary to assess whether the potential adverse impact could be adequately mitigated so as to avoid any significant adverse effect on the conservation objectives of the Special Protection Area.
20. The Council, in partnership with neighbouring councils and conservation bodies, including Natural England, has developed an approach to mitigation based on the provision of suitable alternative natural greenspace and a strategic access management and monitoring plan. Residential development between 400m and 5km from the Special Protection Area can mitigate its potential adverse impact by making a financial contribution towards these initiatives.
21. I note the appellants have stated their willingness to make the required financial contribution to the management plan. However, the necessary legal mechanism is the submission of a signed unilateral undertaking, which has not been provided. Consequently, the suitable mitigation cannot be guaranteed and

as such the development would have a significant adverse effect on the Special Protection Area.

22. I conclude that both appeal proposals would harm the Thames Basin Heaths Special Protection Area and would therefore conflict with LP1 Policy NBE3, Policy 2d of the NP and saved Policy NRM6 of the South East Plan 2009, which seek to protect sites of nature conservation importance. It would also conflict with the Thames Basin Heaths Avoidance Strategy and Conservation of Habitats and Species Regulations for the reasons set out above.

Other matters

23. The new house would have social and economic benefits as the occupant(s) would support local services and add to the housing land supply. However, these benefits would not outweigh the harm that I have found above.

Conclusion

24. I therefore conclude that the appeals should be dismissed.

John Longmuir

INSPECTOR