
Appeal Decision

Site visit made on 14 September 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2021

Appeal Ref: APP/N1730/W/21/3272313
84 Connaught Road, Fleet GU51 3LP

- 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 S Mosley (K & S Surrey Ltd) against the decision of Hart District Council.
 - The application Ref 20/02513/FUL, dated 14 October 2020, was refused by notice dated 12 March 2021.
 - The development proposed is erection of 2No. dwellinghouses with associated garages, parking and landscaping following demolition of existing garage block.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the refusal of the planning application and the submission of this appeal, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. The main parties were given the opportunity to address this matter, and I have taken this into account where relevant to my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal proposal follows a previously refused application¹ in August 2020 for an identical scheme. The sole reason for refusal related to the impact of the development on the Thames Basin Heaths Special Protection Area (the TBHSPA), and the Council raised no objection in respect of the design of the scheme. The July 2021 update to the Framework has occurred since that decision, and is a material consideration in the determination of this appeal, to be read alongside the *National Design Guide* (October 2019) (the NDG) and the *National Model Design Code* (July 2021) (the NMDC), to which the Framework explicitly refers on the matter of design.
5. The thrust of the changes in the revised Framework includes policies to achieve high quality, beautiful and sustainable buildings and places. Paragraph 134 makes it clear that development that is not well-designed should be refused,

¹ Ref 20/00840/FUL

especially where it fails to reflect local design policies and government guidance on design contained within the NDG and the NMDC, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

6. The NDG sets out the characteristics of well-designed places and demonstrates what good design means in practice. It confirms that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary (paragraph 41). It is integrated into its wider surroundings, physically, socially and visually (paragraph 43) and that physical features include the existing built development, including, inter alia, layout, form and scale. Paragraph 66 advises that built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context.
7. The Council has drawn my attention to the *Hart Urban Characterisation and Density Study* (2010) (HUCDS), which was prepared as part of the evidence base to support the *Hart Local Plan: Strategy and Sites 2016 – 2032* (2020) (the HLPSS), setting out the design characteristics within the 6 main settlements in Hart District. The HUCDS is also specifically referred to in Policy 10 – General Design and Management of the *Fleet Neighbourhood Plan 2018 – 2032* (2019) (the FNP), which requires development proposals to accord with the detailed characteristics set out in the HUCDS. As such, I afford weight to the HUCDS in reaching my decision.
8. The appeal site is located on the northwest side of Connaught Road within an established residential area close to Fleet town centre. The HUCDS confirms that the area within which the appeal site is located, Character Area E 'Residential development in Albert Road, Clarence Road and Connaught Road' of the Fleet Town Centre Neighbourhood Area, is an 'Area of High Townscape Value' and has a 'high' sensitivity to change. Defining characteristic include being 'part of the grid pattern of streets set out in the early 20th Century', having a 'unique and discernible urban grain with narrow plots with detached, semi-detached or terraced houses located close together', and 'small front gardens with a common building line'.
9. The evidence before me, including my observations during my site visit, is that the original rectangular-shaped urban grid formed by Connaught Road, Clarence Road, Upper Street and Church Road remains highly discernible within the townscape. It is characterised by street-fronting dwellings, with a regular front building line. Back-to-back rear gardens, those of which lie within Connaught Road being particularly long, contribute to a spacious layout of development.
10. The existing property and layout of built development on the appeal site is wholly in keeping with this prevailing urban grain. The site is occupied by a detached, two-storey building which fronts onto Connaught Road, which is occupied as 4 flats. It has communal front and rear gardens. Vehicular access is from Connaught Road, and a single access drive to the side of the building serves a row of 6 flat-roofed garages which are positioned discretely adjacent to the rear site boundary. Several mature trees close to the site boundaries soften the built development on, and adjacent to, the site, making a positive contribution to the character and appearance of the area.

11. The proposal would introduce an incongruous 'backland' layout of development through the introduction of a pair of two-storey dwellings in a position which would be unrelated to the frontage dwellings which characterise the area. It would be out of keeping with the existing grid pattern of development which is a positive feature of the townscape and would erode the spaciousness of the garden areas between the rows of dwellings.
12. The uncharacteristically cramped nature of the development would be compounded by a combination of the two-storey height of the new dwellings, their link-attached nature, each having an attached side garage, and their positioning across most of the width of the site to within close proximity of both side boundaries. The proposed hipped roofs and low eaves design of the new houses is not sufficient to overcome my concerns in this respect.
13. The new dwellings would be largely screened in views from the public realm in Connaught Road by the existing frontage building. Nonetheless, and notwithstanding the proposed alterations to the ground level where the new dwellings are to be built, the new house directly facing the access drive would be visible from the site access point. It would be seen within a closer, more visually apparent, and cramped context in relation to the existing building, than the existing garages, which sit relatively unobtrusively at the rear of the site.
14. A proposed lack of meaningful front gardens for the new houses and their proximity to the access and parking for the existing flats, would further emphasise the cramped nature of the proposal. Notwithstanding the proposed rear gardens, and the retention of front and rear garden areas for the existing flats, the result would be two uncharacteristically small plots, having regard to their width and depth in relation to the prevailing plot dimensions within this side of Connaught Road.
15. The traditional hipped roof design style of the new dwellings and their materials and fenestration design would be acceptable within the context of the varied design detailing of neighbouring properties. Also the proposal is capable of retaining mature boundary trees which make a positive contribution to the townscape. However, these factors are not sufficient to overcome my aforementioned concerns in respect of the impact of the proposal on the character and appearance of the area.
16. There is a flatted development at Clare Court, adjacent to the site, which fronts onto Clarence Road and extends significantly back towards Connaught Road. However, this represents an alien form of development within the predominant grid pattern of development, and is a much larger and more comprehensive form of development than the appeal scheme, involving the amalgamation of sites. The HUCDS explicitly acknowledges that this type of flatted development within this townscape area is a negative feature of the character area. Furthermore, the layout of the appeal proposal would not relate to this adjacent building, which has a very different layout and orientation within its site. As such, I am not persuaded that this adjacent built development justifies the approval of the appeal scheme.
17. For the above reasons, I therefore conclude that the proposed development would cause significant harm to the character and appearance of the area. As such, the appeal scheme would be contrary to Policy NBE9 of the HLPSS, Saved Policy GEN1 of the *Hart District Local Plan (Replacement) 1996-2006* (2020) (the HDLP) and Policy 10 of the FNP. These policies, amongst other things, aim

to ensure that development proposals seek to achieve a high-quality design, promote, reflect and incorporate the distinctive qualities of their surroundings, are in keeping with the local character by virtue of, inter alia, their scale, design, massing, layout and siting, complement and well integrate with neighbouring properties and respect strong building lines, and that the layout of new buildings reinforces any locally distinctive street patterns.

18. For similar reasons, the proposal would also be contrary to Chapter 12 of the Framework which seeks to ensure well-designed places.

Other Matters

19. The site is within 5km of the TBHSPA, where a net increase in housing development, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, have the potential to significantly adversely impact on the integrity of the TBHSPA. As the competent authority during the determination of the planning application, the Council confirmed that the proposal would not have an adverse effect on the integrity of the TBHSPA, on the basis that the appellant secured access to Council owned Suitable Alternative Natural Greenspace (SANG) and made a financial contribution by means of a Section 106 legal agreement towards the funding of Strategic Access Management and Monitoring (SAMM) measures in accordance with the *Thames Basin Heaths Special Protection Area Delivery Framework*.
20. Whilst not a reason for refusal of the planning application, within the context of this appeal, the responsibility for assessing the effects of the proposal on the TBHSPA European designated site falls to me as the competent authority. However, as the main issue provides clear reasons for dismissing the appeal, there is no need for me to consider this matter further, since any findings on this issue would not change the appeal outcome.
21. Notwithstanding that the Framework encourages the effective use of land in meeting the need for homes, this is not unqualified, and would not address or outweigh the aforementioned harm that I have identified in respect of the main issue.
22. The site is in an accessible location with respect to public transport and community facilities and services. Also, there would be a small social benefit in providing two additional housing units, and economic benefits as a result of the construction and occupation of the new houses. However, these benefits would not overcome the harm to the character and appearance of the area.

Conclusion

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

S Leonard

INSPECTOR