



Appeal Decision

Site visit made on 28 September 2021

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th October 2021

Appeal Ref: APP/D3640/W/21/3272451
7 High Street, Camberley GU15 3QU

- 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 & Mrs Payne against the decision of Surrey Heath Borough Council.
 - The application Ref 20/0423/FFU, dated 16 May 2020, was refused by notice dated 11 December 2020.
 - The development proposed is Roof extension and first and second floor rear extensions to provide two additional flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's second reason for refusal concerns whether the proposed internal space would provide suitable living conditions for the occupiers of flat 2. An amended plan submitted with the appeal amends the layout to increase the floor area of flat 2 and reduce that of flat 3.
3. I have had regard to the Wheatcroft Principles¹, as well as the Planning Inspectorate Procedural Guide: Planning Appeals – England 2021 which states the appeal process should not be used to evolve a scheme, and what is considered by the Inspector should be essentially what was considered by the Council, and on which interested people's views were sought. In the context of this appeal scheme the amended proposals set out significant changes to the internal layout that would significantly alter the development, including the reasons for which the Council reached its decision, and considerations upon which this appeal would be determined. Therefore, I have not had regard to the amended scheme in determining this appeal.

Main Issues

4. The main issues are:
 - the effect of the development upon the character and appearance of the host building and the area; and,
 - whether the development would provide suitable living conditions for the future occupiers of flat 2 with reference to internal space provision.

¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

Reasons

Character and appearance

5. The appeal site lies towards the northern end of Camberley High Street, much of which is characterised by a mix of mostly 2 – 3 storey later 19th and early 20th century buildings that include traditional gable, gambrel, parapet, and mansard roofs. To the south and west are some larger scale more modern buildings. However, it is the number, frontage length and diversity of historic architectural styles which forms the predominant and positive character and appearance of this part of the High Street. This is recognised in the High Street Character Area in the Camberley Town Area Action Plan (2014) (the AAP), which refers to the eastern side as being regarded as locally distinctive.
6. As a historic red brick 3 storey building with traditional positioned window openings in a slated pitched mansard roof, the appeal site makes a positive contribution to the character and appearance of this part of the High Street. It is also is a demarcation between historic buildings and the larger more modern buildings to its south. Notwithstanding their scale and presence, the closest elevations of St Georges Court and the concrete building opposite do not make a positive contribution to the character and appearance of the High Street.
7. The proposed roof extension would significantly increase the height, scale, bulk, and appearance of the building. Not only would it remove a historic roof form, but it would also introduce a new and unusual double stepped mansard roof type to the street scene, which has little resemblance to the others on this part of the High Street. The resulting double mansard type roof would occupy greater than half the height of existing building frontage significantly altering and diminishing the historic character and appearance of the host building.
8. Notwithstanding the surrounding flat roofs, when viewed from High Street the roof extension would create a bulky, dominant, highly incongruent, contrived looking double stepped roof. While it may result in the appeal site building being closer in height to St Georges Court, the development would effectively split the historic roof which continues over No 5. The increased height and bulk of the new roof would relate poorly to and result in a highly dissatisfactory relationship with the remainder of the mansard over No 5. Given this and the harmful effect to the host building and the area, any benefit from relating better to St Georges Court is significantly outweighed by the other harm.
9. The matching materials and vertically aligned dormers do not mitigate the harm. The incongruence of the new roof would be exacerbated by the Juliet balcony spanning the full width of the second floor. While a suitably worded planning condition might be sufficient to reduce the balcony, it would not mitigate the other significant harm I have found. The harm would be highly discernible opposite and from the north on High Street and buildings fronting its western side.
10. The new roof would be contrary to the design advice in principles 7.4 and 7.5 of the Residential Design Guide Supplementary Planning Document (2017) (RDG) which expects development to reflect the heights of existing buildings especially those that are historic, and that roof forms do not diverge from the prevailing character of the area. There is no objection expressed by the Council to the effect of the roof and rear extension on the back land setting of

the High Street. Based upon the evidence before me I see no reason to disagree. However, this does not mitigate or overcome the other harm.

11. For the reasons set out above the development would be significantly harmful to the character and appearance of the host building and the area. It would conflict with Policies TC1, TC4, TC11 and TC12 of the AAP. In combination these require development is designed to be of a quality to make a positive contribution to improving the character of the town centre, including protecting the Victorian and Edwardian integrity and reinforcing the identity of the High Street Character Area. It would also conflict with Policy DM9 of the Surrey Heath Core Strategy & Development Management Policies Document (2012) (the DMPD) which amongst other things requires that development respects and enhances the local and historic character of the urban environment.

Living conditions

12. The proposal would re-configure an existing second floor flat to provide a 1 (double) bedroom flat of approximately 51.7 square metres (sqm) (flat 3), provide a 1 (double) bedroom flat of approximately 59.3 sqm on the new third floor (flat 4), and a 1 bedroom flat (indicated as single) across the first and second floors of approximately 46.5 sqm (flat 2). The Council's objection is in relation to the internal space within flat 2, which it has interpreted as providing two bed spaces being significantly above the two bed space floor area standard in the Nationally Described Space Standard (2015) (the NDSS).
13. While the NDSS is not listed in the development plan policies before me, I regard it as providing an indication of the reasonable minimum standards for internal space and heights to ensure satisfactory living conditions for future occupiers. The NDSS does not provide minimum standards for a 2 storey 1 bedroom single occupancy dwelling, although based upon the standards for a double occupancy dwelling an additional 8 sqm is required for an additional storey. If I were to treat flat 2 as a single occupancy dwelling, while not strictly compliant with principle 7.6 of the RDG, the combined height, shape, and useable space, would on-balance, provide a sufficient quantity and quality of internal space for the future occupiers.
14. For the reasons set out above the proposed development would provide satisfactory living conditions for the future occupiers of flat 2 with particular reference to internal space provision. Therefore, it would not conflict with Policy DM9 of the DMPD which expects development to be of a high quality design that respects the amenities of occupiers. It would also not conflict with paragraph 130 (f) of the National Planning Policy Framework (2021) (the Framework) which expects development to promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

15. The appeal site lies within the 5km zone of influence of the Thames Basin Heaths Special Protection Area (the SPA). The Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) require where a project is likely to result in a significant effect on a European site (in this case the SPA), a competent authority is required to make an Appropriate Assessment (AA) of its implications on the integrity of the European site in view of its conservation objectives. Any likely significant effects need to be considered alone and in combination with other development in the area,

adopting the precautionary principle. The SPA is a network of heathland areas designated as they provide suitable habitat for internationally protected populations of Nightjar, Woodlark and Dartford Warbler. These nest on the ground and at low level and are easily disturbed or harmed by human activity.

16. The Council's Thames Basin Heaths SPA Avoidance Strategy Supplementary Planning Document (2019) (SPD) identifies a net gain of 1 or more dwellings would give rise to likely significant effects on the SPA and development will be required to contribute towards avoidance measures. The avoidance strategy requires a contribution towards a Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) endorsed by Natural England. The Council collects SANG contributions through its Community Infrastructure Levy (CIL) and SAMM contributions through an appropriate Legal Agreement. There is no dispute between the parties that the contributions are necessary to mitigate the likely significant effects of the development upon the SPA.
17. The Council and the appellant advise the SAMM contribution has been paid. Even if I were to assume the proposed mitigation would be in place, the evidence suggests contributions towards the SANG and SAMM are necessary to mitigate the impacts of the proposed development. As such it is not put to me that the contributions would result in an overall net benefit to the SPA and its conservation objectives that would weigh in favour of the development. Therefore, as I am dismissing this appeal for other substantive reasons it is not necessary for me to consider this matter in detail.

Planning Balance

18. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration. The Council can only demonstrate a 4.85 year housing land supply. Therefore, on the basis the development would adequately mitigate the likely significant effects upon the SPA, in accordance with paragraph 11d) of the Framework, the tilted balance would apply.
19. The development would result in a small temporary economic benefit during construction, and once occupied a small benefit to the local economy. The provision of two new dwellings would make more efficient use of the appeal site in a location well placed to access local services and facilities, which would provide a limited social benefit. Overall, the benefits of the development attract limited weight in favour of the development. Compliance with policies in respect of matters such as the SPA, materials, energy and resource efficiency, the living conditions of future and neighbouring occupiers, the vitality and viability of the town centre as a service centre, cycle and waste storage, and car parking, would all be neutral matters attracting neutral weight.
20. However, the proposed development would be significantly harmful to the character and appearance of the host building and the area. The conflict with the policies is significant and given the harm identified, the conflict attracts significant weight against the development. Therefore, the harm to the character and appearance of the host building and the area significantly and demonstrably outweighs the benefits of the development when assessed against the policies of the Framework taken as a whole. Therefore, the appeal should not succeed.

Conclusion

21. The proposed development conflicts with the development plan and the Framework taken as a whole. There are no material considerations, including the policies of the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR