



Appeal Decision

Site visit made on 5 July 2022

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2022

Appeal Ref: APP/N1730/W/21/3286062

Chantryland, New Road, Eversley, Hook RG27 0PA

- 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 P Wilmott of Aspire Luxury Homes (Eversley) Ltd against the decision of Hart District Council.
 - The application Ref 21/00666/FUL, dated 5 March 2021, was refused by notice dated 4 May 2021.
 - The development proposed is surfacing of private drive with permeable tarmac.
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Decision

1. The appeal is allowed and planning permission is granted for the surfacing of private drive with permeable tarmac, at Chantryland, New Road, Hook, RG27 0PA in accordance with the terms of the application, Ref 21/00666/FUL, dated 5 March 2021, and plan references; B Regs/18/11 Rev B, and 18.5344/M002.

Application for costs

2. An application for costs was made by Mr P Wilmott against Hart District Council. This application is the subject of a separate decision.

Preliminary Matters

3. The application was described as 'retrospective' and the Council considered it as such. On the application form the appellant confirms that at the time of submitting the application the work had been completed. This correlates with my observations on site and I have considered the appeal on that basis. I have removed the words 'retrospective application' from the description of development as they do not describe an act of development.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

5. The appeal site comprises a shared private drive serving a small number of houses, surrounded by further residential development. The pleasant character and appearance of the area is informed by the variety in the design, materials, and scale of the houses in the locality and the presence of roadside hedgerows.
6. The private drive exits on to New Road close to its junction with Chequers Lane. Both Chequers Lane and the section of New Road adjacent to the appeal site have a tarmac finish. Tarmac is one of a variety of materials used to form

hard surfaces within the area. Whilst the development increases the total amount of tarmac within the area, having a dark colour, it is not prominent and does not detract from the pleasant and verdant character and appearance of the area. Instead, it provides a consistency in surfacing materials between the highway and the private houses within appeal site, integrating well with the existing character and appearance of the area.

7. For the reasons set out above, the proposal does not harm the character and appearance of the area. Accordingly, it accords with Policy NBE9 of the Hart Local Plan 2032¹, and saved Policy GEN1 of the Hart Local Plan 2006² where they seek to ensure schemes contribute to the overall appearance of, and are in keeping with the local area. In addition, the proposal complies with Paragraph 130 of the National Planning Policy Framework, which seeks to ensure that development is visually attractive and sympathetic to local character.

Other Matters

8. The comparative merits of the previous application ref 18/01321/AMCON and the completed scheme do not alter my finding that this scheme is acceptable. Alterations to boundary treatments, landscape features, the internal arrangement of the property and works outside the appeal site do not form part of the scheme and therefore are outside the scope of this appeal.
9. Concern has been raised that the surfacing of the driveway may be less permeable than the previously approved scheme, and that it may result in increased surface water run-off rates on to Chequers Lane. However, there is no compelling evidence to indicate that the materials used have reduced the permeability of the driveway.
10. The development within is 2km of the Thames Basin Heaths Special Protection Area (SPA). However, it has not resulted in any increase in residential units or occupiers. Therefore, there are no increased activities associated with the scheme which would create additional pressures on or use of the SPA. Consequently, the development, alone or in combination with other plans or projects would not have a significant effect on the SPA.

Conclusion

11. For the reasons given and having regard to the development plan as a whole and other relevant material considerations, I conclude that the appeal should be allowed. As the development has been carried out, there is no need for any conditions to be imposed.

V Simpson

INSPECTOR

¹ Hart District Council – Hart Local Plan (Strategy and Sites) 2032

² Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 – Saved Policies