



Appeal Decision

Site visit made on 21 February 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 MARCH 2023

Appeal Ref: APP/R3650/W/22/3304367

13 The Flat Parsons Green, Haslemere, Surrey GU27 1EE

- 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 Singh against the decision of Waverley Borough Council.
 - The application Ref WA/2022/00609, dated 7 February 2022, was refused by notice dated 19 May 2022.
 - The development proposed is described as 'upper floor single storey rear extension with loft and conversion into 7 residential units (5x1 bed and 2x2 bed) with 10 roof dormers. alteration at ground floor refuse store and cycle area.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on a) the character and appearance of the area; b) the living conditions of neighbouring occupiers; c) the living conditions of future occupiers; and d) on-street parking provision.

Reasons

Character and Appearance

3. The appeal site comprises a large, detached two storey building positioned towards the top of Parsons Green. Parsons Green has a mix of one and two storey buildings, although the buildings either side of the appeal building are similarly two storey. Buildings in the vicinity are finished in either brick or render. Roofs are finished with brown tiles and generally incorporate a side hip design. It is a combination of the modest heights of the buildings, their set back positions from their site frontages, the space between buildings afforded by their positioning and hipped roofs, as well as the extensive grassed areas of open space which give the area an open and spacious character.
4. I note that there is not homogeneity in the design, appearance or size of buildings in the vicinity of the appeal site. The appeal property itself is a large single building whose façade is different from others in the area and has a ground floor retail use. Similarly, its height and proportions are slightly different from its neighbours. Nevertheless, none of these features are so different or out of keeping with the prevailing character so as to prevent the building as a whole from fitting comfortably into the street scene.
5. In contrast, the proposed alterations and additions would add significantly greater bulk and a different visual presence and appearance when compared to

the existing building. The resulting built form would create a scale and massing fronting on to Parsons Green which would visually jar with the form and appearance of properties that make up the site's immediate and prevailing context. Although the scheme might be proposing to use external materials to match the existing, they would not overcome the inherent bulk of the building or help to anchor it within its surroundings.

6. Whilst variety and difference does not necessarily lead to harm, in this particular instance the proposed building would appear manifestly at odds with the form and appearance of the surrounding properties, creating an awkward juxtaposition within the street scene. Instead of positively contributing, it would have an unsympathetic visual relationship with its surroundings that would harm the character and appearance of the wider area.
7. Accordingly, the proposal would be contrary to Policy TD1 of the Waverley Local Plan Part 1 2018 (LPP1) and Retained Policies D1 and D4 of the Waverley Borough Local Plan 2002 (WBLP) which, amongst other things, require new development to complement its surroundings and relate to the character of the area.

Living Conditions – Neighbours

8. The current proposal represents a revised scheme, with the first floor rear extension now being set in from the side boundaries. Nevertheless, the works and alterations would increase the overall scale and bulk of the existing building. Whilst there is reasonable separation between the appeal building and its neighbours on Parsons Green, the scale of the works and their relationship to the rear gardens of these neighbours is likely to result in the new building appearing overly dominant when viewed by the neighbours.
9. The works would certainly result in a building that would cast a significantly larger shadow across the neighbours at different times of the day. However, the Council has not sought any daylight or sunlight surveys and it is not clear to me that any loss of light in itself would significantly diminish the quality of the neighbour's internal accommodation. However, in combination with the scale of the works, it would contribute to the overall sense of dominance.
10. The flat roof at first floor level is potentially usable by occupants of the existing first floor flat. However, from my observations on site, it is clearly not an area that is actively used as a garden. In contrast, the provision of formal gardens to serve Flats 1 and 3 would be likely to make these units more attractive to potential occupants and subsequently see a significant increase in the use of these areas.
11. Given that these gardens would be at first floor level, there would be the potential for significant overlooking of the gardens on either side. Whilst the boundary to No.15 Parsons Green is overgrown at present, there are unimpeded views into the garden of No. 11 Parsons Green. Whilst there is a degree of mutual overlooking in the area, the scale of overlooking that would be possible in this case would not be reflective of the area and would be harmful.
12. The installation of screens to prevent such overlooking could have the unintended consequence of harming the neighbours' living conditions through the additional height and bulk that would inevitably result to the appeal

building. It is therefore not appropriate to condition the installation of such privacy screens.

13. Although properties to the rear, in Peperham Road, are set at a higher level than the appeal building, the installation of dormers on the new rear roof would significantly increase the overlooking of these neighbours' gardens. Again, whilst there already exists a degree of mutual overlooking, the changes proposed would result in a level of intervisibility that would exceed what might reasonably be considered acceptable for an area such as this one.
14. Drawing the threads of my assessment together, I find that these matters both individually and collectively would result in a significantly diminished living environment for the neighbouring occupants. As the proposal would cause harm to the living conditions of neighbours, it would be contrary to Policy TD1 of the LPP1 and Retained Policies D1 and D4 of the WBLP which, amongst other things, require new development to not be overbearing to neighbours or cause harm through overlooking and so create a safe and attractive environment.

Living Conditions – Future Occupants

15. The garden areas provided to Flats 1 and 3 would be large enough and be of a layout to be usable. Both of these flats are one-bedroom units, and even if occupied only by one person, would not be overly large. It therefore seems likely that the garden areas would provide a useful outdoor facility.
16. Both garden areas would however be overlooked by the flats above. I acknowledge that occupiers of Flats 1 and 3 would have no existing expectation of privacy when in their gardens, unlike the neighbouring houses. Nevertheless, this does not mean that the garden areas should be deprived of all privacy. In my opinion this would unduly diminish the living conditions for future occupants.
17. The use of these garden areas might generate some noise or other disturbance. However, it is not clear that this would necessarily have a significantly greater effect on the other flats in the building than were neighbouring properties to use their rear garden areas for similar purposes.
18. It appears to me that space for just two wheelie bins is clearly insufficient to service the 7 flats which are proposed. Waste would therefore either have to be stored in the flats, or the gardens of those that have them, or outside the refuse store, none of which are particularly attractive propositions. The scale of this deficiency leads me to conclude that it would have a negative effect on future occupiers and thus be harmful to their living conditions.
19. The appellant has not responded to this issue and so it is not clear whether more of the existing shop storage area could be given over to bin storage for these flats. As such, there is no certainty that were I to address this matter through the imposition of a condition requiring a larger area it would be achievable.
20. I acknowledge that a one-bedroom unit could be occupied by two people and that larger bedrooms certainly make this a more feasible proposition. Indeed, with the exception of Flat 6, the four other one-bed flats would each be considered as having a double bedroom. However, I am not aware that the Council sought any amendments to the layout to make the bedrooms smaller whilst still enabling the units to meet the overall size requirements of a one

bedroom unit. Furthermore, there is no substantive evidence to support the Council's assumption that double occupancy would necessarily arise as a result of the bedroom sizes.

21. Nevertheless, I find that overall, the proposal would be harmful to the living conditions of future occupiers. It would therefore be contrary to Policy TD1 of the LPP1 which, amongst other things, requires appropriate environments to meet the needs of users, including the provision of appropriate waste storage facilities.

Parking Provision

22. The proposal would generate a requirement for 9 off-street parking spaces. The development proposes 4 spaces and thus there appears to be a deficit of 5 spaces when measured against Policy ST1 of the LPP1, which links to the local parking standards.
23. However, it is not clear how the 4 proposed spaces would be allocated, particularly given the tandem arrangement of spaces 3 and 4. It also appears from the proposed layout and extent of the site edged red that access to spaces 1 and 2 might involve travelling over extensive areas of the public footpath. Thus, it is not clear how practical these arrangements and spaces might be.
24. Furthermore, there is little indication as to whether any of these spaces would displace what might currently be used as staff parking for the shop. At the time of my site visit, the waste bins serving the shop were positioned so as to block any vehicular access to proposed spaces 3 and 4. The proposed layout does not take any account of where these would be located and thus whether or not they would compromise the proposed parking layout.
25. At the time of my site visit, the parking stress survey was some 18 months old and therefore the situation and parking behaviours may have changed in the intervening period. I also note that the survey was undertaken in a week following a week that had a public holiday. Weeks proceeding and following a public holiday would not generally be included in such a survey.
26. Taking all of the above into account, it appears to me that the actual scale of under-provision of parking and thus the implications for the surrounding area cannot adequately be judged. As a result, I am unable to conclude on this matter that the proposal makes adequate provision for car parking.
27. Accordingly, it would be contrary to Policy ST1 of the LPP1 and the Council's parking guidelines, which seek to ensure appropriate levels of off-street parking are provided. As I am unable to conclude that the parking arrangements would function well over the lifetime of the development, the proposal would also be contrary to the National Planning Policy Framework (the Framework).

Other Matter

28. The appellant points to only one of the objections being from an adjoining neighbour. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issues of the case.

Planning Balance & Conclusion

29. There is no dispute between the main parties that the Council is unable to demonstrate a 5 year supply of deliverable housing land. On that basis, Paragraph 11(d) of the Framework would apply.
30. The Government's objective is to significantly boost the supply of housing and the proposal would provide a net increase of 6 flats. The proposal would also accord with the Framework's support for windfall sites and make efficient use of land. However, in numerical terms the development would make only a small contribution to addressing the Council's modest shortfall. I therefore give this matter moderate weight.
31. The scheme would also lead to some, albeit time-limited, economic benefit during the construction phase, which may give rise to extra local employment. In the longer-term, future residents may make a more general economic contribution towards supporting services in the surrounding and wider area. There may also be some social benefits arising from the proposal. However, given the scale of the development I attribute only limited weight to these economic and social benefits in support of the scheme.
32. Conversely, I have found harm in relation to the effect of the proposed development on the character and appearance of the area, the living conditions of neighbours as well as the environment for future residents. The proposal has also been unable to demonstrate that the proposed level of parking provision would not be harmful. The need to protect all of these factors is perennial and in direct compliance with the Framework.
33. As these harms would be considerable and long lasting, they are, as a consequence, worthy of substantial weight. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. The proposal would not therefore be sustainable development.
34. Whilst there would be some beneficial aspects of the scheme, overall, the development would conflict with the development plan when taken as a whole. There are no other material considerations, including the Framework, which lead me to determine the appeal other than in accordance with the development plan.
35. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR