



Appeal Decision

Site visit made on 6 September 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2023

Appeal Ref: APP/R3650/W/23/3319562

Garages Adjacent to Cornerways, Tilford Road, Hindhead GU26 6PZ

- 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 Frances Newman against the decision of Waverley Borough Council.
 - The application Ref WA/2023/00086, dated 13 January 2023, was refused by notice dated 10 March 2023.
 - The development proposed is the change of use to a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading is taken from a combination of the Council's decision notice and the appellant's appeal form, as this more clearly identifies the site.
3. The Council adopted the Waverley Borough Local Plan Part 2 (LPP2) in March 2023, shortly after determining the planning application the subject of this appeal. Although in draft at the time of the decision, Policy DM5 of the LPP2 was afforded considerable weight by the Council. The appellant's appeal submission noted this and considered the policy accordingly. I am satisfied that the subsequent adoption of the Plan has not significantly altered the situation or prejudiced either party's position.
4. A revised National Planning Policy Framework (the Framework) was published by the Government after the determination of the planning application. It does not raise any new considerations in relation to this appeal.

Main Issues

5. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of future occupants.

Reasons

Character and Appearance

6. The existing garage building is not within nor does it form part of the curtilage of another dwelling. However, even allowing for its size and position it would be read by most observers as being a secondary or outbuilding and as such, is more readily assimilated into the street scene.

7. The proposed changes to the building and its plot mean that it would much more clearly be read within the street scene as a separate unit. Together with the associated comings and goings and any domestic paraphernalia, it would not be viewed in the same way within the wider street scene as it is at present.
8. As a separate dwelling it would neither reflect the scale, appearance or position of other dwellings in its immediate vicinity. Furthermore, it would not have the associated plot size to reflect the prevailing spacious pattern of larger houses sitting in sizable plots. As such, the change of use and associated works to achieve the proposed dwellinghouse would not be in keeping with the character and appearance of the wider street scene.
9. I therefore conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the area. Accordingly, it would conflict with Policy TD1 of the Waverley Borough Local Plan Part 1 2018 (LPP1) and Policies H2 and H6 of the Haslemere Neighbourhood Plan 2021 which, amongst other things, seek to ensure developments are consistent with, and protect, the character and appearance of the area.

Living Conditions

10. Policy TD1 of the LPP1 requires developments for new housing to address the living conditions of future residents and maximise opportunities to improve the quality of life and health and well-being of current and future residents. Policy DM5 of the LPP2 builds on this, and in particular states that proposals should meet the minimum standards set out in the Technical Housing Standards - Nationally Described Space Standards (NDSS).
11. The NDSS requires a one bedroom/two person two-storey dwelling to have a minimum floorspace of 58m². The proposed dwelling is said to have a floorspace of 61.8m². However, the NDSS also states that any area with a headroom of less than 1.5m is not counted within the Gross Internal Area (GIA) and that the minimum floor to ceiling height is 2.3m for at least 75% of the GIA.
12. From my observations of the building, it seems that much of the first floor would be below 1.5m in height. These parts of the upper floor would be restricted in terms of headroom and limited in terms of usability. However, given the absence of sectional drawings in particular, it is not clear if these parts of the building have been excluded from the appellant's floorspace calculations. Accordingly, it is not possible to confirm with sufficient certainty that the proposal would fully accord with the NDSS.
13. The upper floor would be served by 2 rooflights to the front and 3 to the rear. These are likely to provide the accommodation with adequate access to natural light. The outlook from such windows would be constrained somewhat by their size, position and angle. Had the rooms had sufficient headroom then this is unlikely to have been a significant concern. However, in combination with the limited headroom, it only serves to further emphasise the poor quality of the accommodation at first floor level.
14. I note that much of the proposed side and rear garden areas would, due to their position and limited width/depth, be relatively small areas positioned in between the building and site boundaries. As a result of this, at certain times of the year these areas would be likely to spend parts of the day in the shadows

cast from the building itself or boundary enclosures. Overall, the side and rear garden areas would not be particularly attractive spaces in which future occupants would wish to spend much time.

15. The appellant counts up all the small areas of the plot which are not built upon in order to provide a numerical comparison with what Policy DM5 broadly considers to be appropriate for a dwelling. However, to my mind, this misses an important point of the overall objective of the development plan policies, which is that the quality of the space is as important as the amount of space provided.
16. Thus, even if I were to conclude that the garden area met the terms of Policy DM5 of the LPP2 in terms of overall size, the deficiencies I have identified above would not improve the quality of life or wellbeing of future residents. As such, the garden area would not accord with the terms of Policy TD1 of the LPP1.
17. Overall, drawing the above threads together, I conclude on this second main issue that the proposal would unacceptably harm the living conditions of future occupants. Accordingly, the proposal would conflict with Policy TD1 of the LPP1 and Policy DM5 of the LPP2 which, amongst other things, seek to ensure developments provide attractive environments that meet the needs of users, avoid harm to the amenity of future occupants and maximise opportunities to improve the quality of life and health and well-being of current and future residents.

Other Matters

18. The proposal is said to not cause harm to neighbours, that boundary planting would be retained and recycling and refuse facilities would be screened. It is also noted that the retained garage area could be given over to storage and cycle parking. Furthermore, it is suggested that as a dwelling, the building might be attractive as a starter home or to retirees. However, acceptability of these factors would not have a bearing on the overall harm I have identified and so would not change the outcome of this appeal.
19. The existing garages are said to be redundant although the Council indicates that the building has been subject to relatively recent and extensive renovation work. Be that as it may, it does not alter or outweigh the harm I have identified above.

Planning Balance

20. The Council indicates that it can provide 4.9 years supply of deliverable housing land. However, as this is below the 5 years required by the Framework, the provisions of paragraph 11(d)(ii) of the Framework are engaged.
21. The Government's objective is to significantly boost the supply of housing. The proposal would accord with the Framework's support for windfall sites and could be said to make efficient use of the land. The proposal would make only a limited contribution to what is a small under supply of housing in the area but nevertheless I attribute moderate positive weight in favour of the proposal.
22. The scheme would also lead to some time-limited, economic benefit during the construction phase, which may give rise to extra local employment. There would also be longer term economic support to the area, once the unit was

occupied. The property would also provide a social benefit of a further household in the area. Given the scale of the development I can attribute only limited weight to these economic and social benefits in support of the scheme.

23. However, I have found harm in relation to the effect of this particular proposal on the living conditions of future occupants as well as the character and appearance of the area. The need to protect these factors is perennial and in direct compliance with the Framework.
24. Cumulatively, these harms would be considerable and long lasting. They would also not diminish over time. As a consequence, they are worthy of substantial weight.
25. 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.

Conclusion

26. Whilst there would be some beneficial aspects of the scheme, considered overall the development would cause harms which 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.
27. Therefore, I conclude that this appeal should not succeed.

Stewart Glassar

INSPECTOR