



Appeal Decision

Site visit made on 13 March 2024

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/R3650/W/23/3324348

Land adjacent to Cornerways, Wood 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 the Waverley Borough Council.
 - The application Ref WA/2023/00968, dated 14 April 2023, was refused by notice dated 9 June 2023.
 - The development proposed is change of use to garage building to a dwelling together with associated works (revision of WA/2023/00086).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the purposes of this appeal, I have used the description of development used by the Council on the decision notice, as this describes the proposal more accurately than the appellant's description used within the planning application form.
3. The Government published a revised National Planning Policy Framework (the Framework) in December 2023, replacing the previous version dating from September 2023. The amendments made did not have any bearing on the issues in this appeal, and it was therefore not necessary to seek comments from the main parties on the updated Framework. Where I have referred to specific paragraphs of the Framework, the numbering used is that of the December 2023 version.

Main Issues

4. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the future occupiers of the proposal would have acceptable living conditions with particular reference to the adequacy of the outdoor amenity space.

Reasons

Character and appearance

5. The appeal site comprises a detached garage building, within a very modest plot. Despite not being located within the curtilage of another dwelling, as a result of its understated, utilitarian appearance it appears within the street scene as an ancillary or secondary outbuilding.
6. The immediate area contains a mix of large, detached dwellings which are generally two storey in height and positioned within generous plots with mature planting along properties' boundaries. These combined features give the surrounding area a spacious character.
7. Although the proposal involves the re-use of an existing building, as a result of the external changes which would include additional glazing, a front door and dormer windows, the appeal proposal would be much more clearly read within the street scene as a new residential dwelling.
8. Cornerways, the property to the left when viewed from the highway, has a side elevation which is located slightly further forward of the appeal building. However, unlike the appeal building, Cornerways fronts Wood Road. As a separate dwelling, the appeal proposal would be positioned noticeably forward of the prevailing building line of properties which front Tilford Road, and would therefore be unusually prominent within the streetscene. The appeal proposal's unusually small plot size would not reflect the general spacious pattern of large dwellings in generous plots which are set back from the highway. The size and scale of the dwelling would also appear at odds to the significantly larger surrounding properties.
9. I note that Paragraph 124 of the Framework gives substantial weight to the value of using suitable brownfield land within settlements for homes. However, in this instance, the change of use and associated works to convert the building to a dwelling would not be in keeping with the character and appearance of the wider street scene.
10. I therefore find that the proposal would harm the character and appearance of the area. For the above reasons, I find conflict with Policy TD1 of the Local Plan Part 1 (2018) (LPP1) and Policies H2 and H6 of the Haslemere Neighbourhood Plan (2021) (HNP) which, amongst other things, require that developments are consistent with, and protect, the character and appearance of the area.

Living conditions for future occupiers

11. Policy DM5 of the LPP2 states that gardens for houses should be at least 10 metres in depth and the width of the dwelling. The proposal would create a two bedroom house, with private garden areas located to the side and rear, and with an additional small front garden area.
12. The appellant accepts that the depth of the garden would be less than 10 metres, but indicates that when all areas of the garden are considered cumulatively this would amount to 167 square metres of amenity space. The gardens would also be wider than the width of the appeal building.
13. However, as a result of their layout and limited depth and width, the side and rear garden areas would be constrained areas positioned tightly between the building and the site's boundaries. Consequently, they would be enclosed areas which would not provide especially attractive spaces for future occupiers. Equally, outdoor space is often used for a common range of garden accessories including furniture, play equipment and washing lines. From the details before

me, due to their constrained layout, the side and rear gardens would provide limited practical use for occupiers of the proposal.

14. The supporting text to Policy DM5 suggests that in town centre locations, if there is public open space which is readily accessible by foot, there may be justification for less external amenity space. I note that the Grovers Gardens park on Wood Road is less than 300 metres from the application site and can be reached via a pavement. However, whilst the site is within a built up area of Hindhead, it cannot be described as a town centre location. In any event, the limited outdoor amenity space would not be compensated by the availability of public open space within walking distance.
15. I conclude that the proposal would not provide an adequate external amenity space for future occupiers. Accordingly, the proposal would conflict with Policy DM5 of the LPP2 which requires that developments provide an appropriate amount of well designed, suitably located and usable private amenity space.

Other Matters

16. It has been put to me that the proposal would re-use an existing building which is encouraged by the Framework and would create a two bed property, a size of property that the HNP suggests is in great need. It is also suggested that the proposal, by virtue of its size, would be relatively affordable and attractive as a starter home, or for those who are retiring and looking to downsize. The proposal would also retain the green hedging to the front of the site, and the main parties agree that the building's external materials would be acceptable. However, the development plan is explicit that development will only be permitted if it responds positively to the character of the area. I have found that this would not be the case.
17. The appellant has identified development plan policies and Framework paragraphs relating to matters including making the best use of land which it is contended that the proposed development would accord with. I have also found no harm in relation to matters such as the living conditions of existing residents. However, the absence of harm or development plan conflict with respect to other relevant matters is neutral and weighs neither for nor against the proposal.
18. The concerns expressed regarding the Council's conduct during the processing of the planning application fall outside of the remit of this decision.

Planning Balance and Conclusion

19. The proposal would harm the character and appearance of the area because of its design and the layout of amenity space for future residents would be inadequate. There would be conflict with Policy TD1 of the LPP1, Policies H2 and H6 of the HNP and DM5 of the LPP2. It would therefore not accord with the development plan as a whole and this is a matter that counts significantly against allowing the appeal.
20. However, the Government's objective is to significantly boost the supply of homes. Other provisions of the Framework give support to the development of brownfield land within settlements and observe that small sites can make an important contribution to meeting the housing requirement. As a small site the appeal proposal could be developed out quickly. Support for such sites,

particularly windfall sites within existing settlements is provided by paragraph 70 of the Framework. I give these factors significant weight.

21. The policies in the Framework seek to both deliver a sufficient supply of homes and achieve well-designed places. However, the creation of high quality places is fundamental to what the planning and development process should achieve. That would not be so here. Although there is considerable support for new housing in this location the benefits in terms of the overall position in the Borough would be limited. Indeed, this is a case where the importance of good design trumps the provision of an extra windfall unit.
22. Therefore, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
23. The proposed development would be contrary to the development plan and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the proposal is unacceptable and the appeal should be dismissed.

B Pattison

INSPECTOR