



Appeal Decision

Site visit made on 21 June 2024

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2024

Appeal Ref: APP/N1730/W/23/3332435

38 Rounton Road, Church Crookham, Fleet, Hampshire GU52 6HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nott of Dariston Land and Development Ltd against the decision of Hart District Council.
 - The application Ref is 23/00855/FUL.
 - The development proposed is described as 'demolition of existing house and outbuildings, replacement by three detached dwellings with integral garages, associated car and cycle parking and access works'.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal is accompanied by a Unilateral Undertaking dated 15 May 2024 which relates to the matter of the Thames Basin Heaths Special Protection Area. This has been taken into account in the determination of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The main spinal routes through the area, including Rounton Road, predominantly comprise two storey properties of varying character, size and design. The vast majority are set back from the road with parking areas set behind landscaped front boundaries in combination with fencing and low level walls. Together with the mature trees across the area and the grass verges to the edge of the road, these attributes give a particularly verdant character to these roads and the boundary treatments contribute positively to local distinctiveness.
5. The extent of gaps between the properties varies significantly, in part due to extensions to the sides of some properties and due to the varied plot widths. As such the gaps between the properties contributes little to the openness of the area. There are a number of smaller cul-de-sacs nearby which extend from the main routes and which comprise groups of properties of similar style. Those properties are generally set on smaller plots, positioned closer to the highway and with more open front boundary treatments giving more prominent off street parking areas. This includes Kingfisher Close to the north of the appeal site as well as Curzon Drive to the south.

6. The proposed plot sizes and the scale of the proposed houses themselves would be similar to those which directly adjoin the appeal site to the north. Their front building lines and ridge heights would be stepped and would respect those properties to either side, and the gaps between the properties would be adequate to allow them to read as detached while also respecting the extent of gaps between properties in the wider area. The design of the buildings themselves would not appear incongruous in this setting, given the rich variation in the design and appearance of other properties in the area. While the proposed houses would appear different to those houses opposite, it is not apparent why they should more closely mirror the characteristics of those properties, particularly given the policy requirement for development to contribute to the overall appearance of the local area.
7. However, the proposal would entail a significant part of the frontage becoming open in order to accommodate the proposed front parking. As a consequence of this being repeated across the development, in particular on Plot 3, the proposal as a whole would appear in stark contrast to the design and appearance of frontages across the area which, for the reasons set out above, is an important characteristic of the area and its local distinctiveness.
8. The scale of the front garden areas would be similar to nos. 32 to 36 Rounton Road to the north, which the appellant acknowledges blend into the frontage. However, I observed that their front boundaries are predominantly hedgerow with breaks of limited width. As such, their effects on the character of the area and contribution to the verdant character, are notably different to the appeal scheme. While there may be a greater requirement for parking for new development generally, this does not provide justification for development which would cause harm to the character and appearance of the area.
9. I appreciate that the appellant sought to address this matter through revisions during the course of the planning application and I have considered whether this matter could be dealt with by a planning condition to secure amendments. However, given the quantum of car parking spaces required by the Council, together with the description of development which includes garages and the potential for undercroft parking to have very different visual effects, I cannot be satisfied that the requirements of any condition would be reasonable. As such it would not meet the tests for conditions.
10. Overall, for the reasons given, the proposal would cause harm to the character and appearance of the area. It would conflict with Policy NBE9 of the LPSS¹ and Policy GEN1 of the LPR² which together require that development achieves a high quality design, positively contributes to the overall appearance of the area, and be in keeping with the local character by virtue of factors listed including design. There would also be conflict with the design objectives of the Framework, where it requires that developments add to the overall quality of the area and are sympathetic to local character.

Other Matters

11. While the harm arising from the proposal would be limited to the design of the front boundaries, it would nonetheless cause conflict with the development plan for the reasons set out, and the harm would be considerable and long lasting.

¹ The Hart Local Plan (Strategy and Sites) 2032, adopted 2020 (the LPSS)

² The Hart District Local Plan (Replacement) 1996- 2006: Saved Policies (the LPR)

The proposal would deliver some benefits, including the removal of the remnants of the bungalow. It would also deliver new houses which would contribute to the national objective to boost the supply of homes and which would be within an existing built up area with relatively good accessibility to services and facilities. However, together these benefits do not outweigh the conflict which has been found with the development plan, given the scale of the proposal. Given the Council's position on its housing land supply and delivery, which are not disputed by the appellant, it is not necessary to carry out the balancing exercise of paragraph 11d) of the Framework.

12. The appeal site is within 5km of the Thames Basin Heaths Special Protection Area (SPA). This is a network of heathland sites which are designated for their ability to provide habitat for internationally important bird species. However, Regulation 63(1) of the Habitats Regulations³ indicates the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. As the appeal is dismissed on other grounds it is not therefore necessary to address this in any further detail.

Conclusion

13. The proposal would conflict with the development plan as a whole and there are no other considerations of sufficient weight which outweigh this finding. Therefore the appeal is dismissed.

C Shearing

INSPECTOR

³ The Conservation of Habitats and Species Regulations 2017