



Appeal Decision

Site visit made on 9 July 2024

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2024

Appeal Ref: APP/P1750/W/23/3331549

Land adjacent 6 East Station Road, Aldershot GU12 4LB

- 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 Vorobiev against the decision of Rushmoor Borough Council.
 - The application Ref is 23/00296/FULPP.
 - The development proposed is described as the demolition of existing garage and erection of new detached three-storey 3-bedrooms 6-persons dwelling house with associated parking, bin, and cycle stores.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form refers to the proposed development as a 4-bedroom dwelling. However, the submitted drawings show the proposed development as a 3-bedroom dwelling and are labelled as such. The Council's Decision Notice describes the proposed dwelling as a 3-bedroom dwelling and the appellants Appeal Statement and Final Comments also refer to the proposed development as a 3-bedroom dwelling. I have therefore considered the appeal as a 3-bedroom dwelling.
3. On the 30 July 2024, the Government published a Written Ministerial Statement and a list of proposed changes to the National Planning Policy Framework ("the Framework") for consultation. Some of these proposals centre on further boosting the delivery of housing. However, for the time being the exact details remain in draft and may be subject to change. They therefore carry limited weight in my consideration of this appeal.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the proposed development would provide sufficient parking in the interests of the proper function of the area and highway safety.

Reasons

Character and Appearance

5. The front elevations of the existing properties in this part of East Station Road about the pavement and this prevailing presence of dwelling frontages against the pavement defines the character of this immediate area. The frontage of the existing dwellings also incorporate front doors and windows at ground floor which face on the street. This creates active frontages which are important as they create articulation and animation along the street scene.
6. An existing, to be demolished, garage sits on the appeal site which is set back from the pavement with less articulation and the proposed dwelling would take its design cues, in respect to the upper floor and roof, from the adjoining dwellings. However, the ground floor of the proposed dwelling would be considerably set back behind the established building line to accommodate an integral car port. This design does not feature elsewhere in this part of the local street scene, and it would be at odds with the character of the dwellings in this area. This would fail to sympathetically integrate into the street scene.
7. In addition, apart from one door, the proposed ground floor street facing elevation would have little articulation comprising a considerable expanse of inactive frontage with a largely blind ground floor street facing façade. The effect of an inactive frontage would deprive this street scene of important animation and articulation at ground floor level. While cars would be parked to the frontage of the proposed ground floor elevation, it would still be visible above and around the cars as well as when the parking bays would be vacant. This inactive frontage would therefore unacceptably harm local distinctiveness.
8. The appellant states there are other examples of development elsewhere which would be similar to the appeal proposal, however, no addresses are given. In the absence of more detail, it is difficult to make any meaningful comparisons with the proposal before me. I have considered the appeal on its own merits particularly within this section of East Station Road as set out above.
9. The proposed development would therefore have a negative effect on the character and appearance of the area and the proposal would unacceptably conflict with the relevant provisions of Policies DE1 and DE11 of the Rushmoor Local Plan 2019 ("the Local Plan"). These, amongst other things, require development to make a positive contribution towards improving the quality of the built environment.

Parking

10. Part (d) of Policy IN2 of the Local Plan states that development will be permitted that provides appropriate parking provision, in terms of amount, design and layout, in accordance with the adopted 'Car and Cycle Parking Standards' supplementary planning document ("the Parking SPD"). The Parking SPD is a recent document adopted in March 2024 and it requires 3-bedroom residential development to provide a minimum of two parking spaces.

11. The existing dwelling, 6 East Station Road, is served by a garage. There is some dispute as to whether this garage provides facility for existing off-road parking. An Inspector found in previous appeal decisions¹ that parking for one vehicle can be achieved from this garage and the appellant has not explained how this situation has changed. While I acknowledge the fixed workbench in the garage, I have not been provided with robust evidence that it is a structural part of this garage which prevents its removal. On this basis the appellant has not clearly shown that the existing garage is unsuitable for the parking of one vehicle. Given this parking space would be lost and the Parking SPD, requires two parking spaces, the proposed development would therefore need to provide a total of three off road parking spaces.
12. The Parking SPD at paragraph 4.10 states that to count towards the car parking standard, car parking spaces need to meet minimum size requirements. These minimum standards for new development are set out in Table 4 as 4.8m by 2.5m. Paragraph 4.11 of the Parking SPD also states that widths and lengths of spaces will need to increase if those spaces are next to a wall or footway.
13. The proposed parking bays would be 2.4m by 5.0m and would both be sited next to a wall and/or footways. The width of both parking bays would fall under the minimum standards, and it has not been robustly shown that the length and widths would be sufficient, for example to load / unload or enter and leave the site appropriately.
14. The appellant suggests that offsite parking for two vehicles would be available in St Josephs Road and public car parks can also be used. Nevertheless, the supporting text of Principle 6 of the Parking SPD at paragraph 5.2 states that parking should be provided within the development site. While exceptions are listed for off-site provision, there is limited evidence before me to suggest these exceptions apply to the proposed development.
15. I note the recent appeals² where the Inspector was guided by an older supplementary planning document and referred to the location of public transport near to the appeal site. However, since these decisions, a new Parking SPD has been adopted which requires development to provide the number of car parking spaces as set out in Appendix A of the Parking SPD.
16. The Parking SPD does make some reduction in parking standards for identified Sustainable Parking Zones to reflect the better access to services and public transport available within these zones. However, there is limited evidence before me to suggest the appeal site would fall within a Sustainable Parking Zone. Therefore, the minimum parking standards as set out in Appendix A of the Parking SPD are relevant to this appeal and the appeal falls short of these standards.
17. There is no documented reason before me to suggest that the local area does not suffer from high on-street parking stress. The SPD is a recent document based on local evidence and there is no compelling reason before me to demonstrate that it would not accord with paragraph 111 (previously paragraph 107) of the Framework. Accordingly, the Parking SPD attracts full weight.

¹ Refs APP/P1750/W/22/3309374 and APP/P1750/W/22/3309376

² Refs APP/P1750/W/22/3309374 and APP/P1750/W/22/3309376

18. I have also considered the evidence that future occupiers would not be able to apply for parking permits. While I acknowledge this, as set out above, the Parking SPD is a recent document based on local evidence across the borough. I have not been drawn to any sections of the Parking SPD which suggest that parking standards should be relaxed in the event residents would be prevented from applying for permits. This, therefore, has limited bearing on my overall findings.
19. While the Council's highway consultee did not formally object to the appeal proposal, the Council is entitled to come to its own view provided reasonable justification is given. In this case, the parking shown would not make appropriate provision for the proposed dwelling in an area of high parking stress. In addition, provision for the existing parking place which would be lost from the demolition of the existing garage would also not be satisfactorily provided as part of this appeal.
20. It has not therefore been robustly shown that the proposed development would not cause unacceptable conflict between residents and road users. Consequently, the proposed development would not provide sufficient parking in the interests of the proper function of the area and highway safety. It would therefore fail to accord with the standards set out in the Parking SPD, and the relevant provisions of Local Plan Policy IN2 of the Local Plan which seeks to, amongst other things, ensure that development would not be detrimental to the safety of the transport network.

Planning Balance

21. The appeal proposal would add one three-bedroom dwelling to housing stock in an existing settlement within reach of the town centre, services, and transportation hubs. It would be an efficient use of land and there would be some social benefits and economic benefits both from the construction phase and the future occupiers.
22. There would also be sustainability and accessibility measures incorporated which would include solar panels, high performance insulation, low water uses sanitary installation, carbon neutral heating and ventilation systems, amongst other things. However, given the national policy seeks to incorporate accessible housing, use of natural resources prudently, minimising waste and pollution, and moving to a low carbon economy, it is not unusual for development to be designed to high environmental standards.
23. I also acknowledge that the proposed development complies with some parts of the Development Plan, the Ecologist Officer did not object as a consultee, and it is the ambition of the developer to comply with Building Regulations. However, the absence of harm weighs neutrally in the planning balance.
24. Given the modest quantum of housing development proposed, I ascribe moderate weight to these benefits when considered cumulatively. I have, however, found unacceptable harm arises from the proposed development's impact on the character and appearance of the area, and its conflict with parking standards. I attach significant weight to this harm.

25. Accordingly, the material considerations in this case do not indicate the proposal should be determined other than in accordance with the development plan when taken as a whole. The appeal scheme would not, therefore, benefit from the presumption in favour of sustainable development.

Other Matters

26. A Unilateral Undertaking has been submitted in respect of public open space improvements and mitigation concerning the Thames Basin Heaths Special Protection Area. However, given my overall findings there is no need to consider this further.

Conclusion

27. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR