

Appeal Decision

Site visit made on 13 August 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2024

Appeal Ref: APP/R3650/W/23/3334974

43 Downhurst Road, Ewhurst, Cranleigh, Surrey GU6 7QQ

- 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 Miss Joanna Round against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/00413.
 - The development proposed is erection of a dwelling following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site (No 43) comprises a two-storey semi-detached dwelling, within a residential street of Downhurst Road, on the edge of Ewhurst village and adjacent the junction with Ockley Road. No 43 is of traditional red brick design with hipped pitched roofs and an attractive chimney feature. The side boundary between Nos 43 and 41 is angled at some distance away from the existing appeal dwelling. The main dwelling of No 43 is also set back at some distance from Downhurst Road, as it faces more towards Ockley Road. This provides a large and landscaped front and side garden with low picket fence along its frontage.
4. No 43 is within the village settlement boundary and the Countryside beyond the Green Belt, as defined in the Council's development plan. The adjoining dwelling of No 45, and No 41 on the other side, both appear to have largely retained their original built forms and side boundary gaps. There are also mature trees and shrubs within surrounding gardens and along Ockley Road. These spacious and landscaped characteristics of the site and its immediate environs, facing open and undeveloped land opposite Ockley Road, provide a semi-rural appearance and feel to this area.
5. Downhurst Road comprises mainly of traditional semi-detached dwellings, with many rustic architectural features and significant open gaps to the side

elevations that allow for views to mature trees beyond. This gives the street a spacious and distinctive character, despite some varied designs along the row of detached bungalows, and the appeal site reflects these positive features.

6. No 43 is sited on higher ground than No 41 and the road level in Downhurst Road, and the approach to Ewhurst along Ockley Road. This means that the appeal proposal would appear as a prominent addition to the streetscape, despite its setback distance from the road and No 43. The proposed front elevation would be narrower than that of No 43 which it would join on to, and its side elevation would be chamfered towards the rear. Whilst this would provide some space along the side boundary, together with its overall bulk, the dwelling would appear contrived and uncharacteristically cramped in relation to the proposed plot, which notably narrows towards the rear. This would detract from the spacious character of the site and surrounding area.
7. The proposed site and parking layout would also appear to necessitate removal of some existing shrubbery within No 43's front garden, which would accentuate the visibility of the appeal dwelling. The proposed set back frontage at first floor level and lowered roof towards the side boundary would also not mitigate the identified harmful visual impact.
8. The proposal would still allow for some views to the mature shrubbery behind No 43. Despite this and the location of the site within a residential settlement, the presence of the proposal would nonetheless result in moderate harm to the intrinsic character and beauty of the surrounding Countryside beyond the Green Belt.
9. My attention has also been drawn to planning permissions for fully integrated two storey side extensions along Downhurst Road. I noted during my site visit that unlike the appeal proposal, these extensions are clearly of subservient width to the respective host dwellings, and respect their plot proportions and immediate contexts. Although there may also be other examples across the Borough, I must, and have, considered the appeal proposal on its own planning merits and site-specific circumstances.
10. For the above reasons, the appeal proposal would cause significant harm to the character and appearance of the surrounding area. It would therefore conflict with Policies DM1 and TD1 of the Waverley Borough Local Plan (LP) Part 1: Strategic Policies and Sites (2018), and Policies RE1 and DM4 of the Waverley LP Part 2: Site Allocations and Development Management Policies (2023). These policies require, amongst other things, development to be of high quality design, not cause harm to townscape, and be sympathetic and responsive to the prevailing pattern of development and the local context in terms of scale, mass, bulk and building plot sizes and widths. Conflict also arises with the National Planning Policy Framework (revised 2023), insofar as it seeks to ensure developments are visually attractive and sympathetic to the surrounding built environment.
11. The Council also cited conflict with its guidance contained within the Residential Extensions Supplementary Planning Document (SPD) 2010. However, based on my own reading and interpretation, this SPD relates to various types of householder development, and does not explicitly refer to new dwelling proposals. This SPD is therefore not relevant to the appeal proposal and has had no bearing in the determination of this appeal.

Other Matters

12. Representations received, including from the occupiers of No. 41 Downhurst Road, raise concerns regarding loss of light and privacy, a feel of overcrowding, and additional noise and disturbance. Having regard to the juxtaposition between this neighbour and the appeal proposal, I am satisfied there would be no significant harm to living conditions. The nearest proposed first floor rear elevation window is small and serves an ensuite bathroom. If I were minded to allow the appeal, a suitably worded planning condition could have ensured it would be obscure-glazed with high-level openings.
13. Representations also raise concerns regarding the location of the proposal including an additional access in a dangerous position. I noted some cars parked on verges along Downhurst Road towards the Ockley Road priority junction. Whilst I accept that cars may also choose to park on the verge on the other side of No 43's entrance, this is along a bend that limits vehicle speeds. I also noted that the verge on the western side of the Ockley Road junction contained bollards adjacent the highway, restricting parking and ensuring adequate visibility for this junction that is subject to a signed 30mph speed limit. Although my observations were a snapshot in time, I have found no evidence that demonstrates an adverse highway safety issue and sufficient off-street parking space would be provided with the proposal.

Planning balance

14. I have found significant harm to the character and appearance of the area, contrary to the design requirements of LP Part 1 Policies DM1 and TD1 and LP Part 2 Policies RE1 and DM4. As good design is also one of the fundamental tenets of the Framework, I conclude that the appeal proposal is contrary to the development plan as a whole.
15. The Council cannot demonstrate a five-year supply of deliverable housing sites, with an indicated supply of between 3.85 and 3.89 years as set out in its Five-Year Housing Land Supply Position Statement published in October 2023. In these circumstances, paragraph 11 d) of the Framework is engaged by footnote 8 and states that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
16. Paragraph 60 of the Framework refers to significantly boosting the supply of housing provision. The Council's Strategic Housing Market Assessment (2015) also identifies and seeks to meet the higher demand for two- and three-bed market dwellings in the Borough, to provide smaller family housing for younger households. While the scheme would provide one new smaller family dwelling to the housing supply, given the current level of shortfall in overall housing supply in the Borough, this would be afforded moderate weight.
17. The proposal is supported by an Energy Statement, which sets out how it would adapt to climate change impacts through incorporation of renewable technologies, high sustainability standards and sustainable design measures and construction techniques. The applicant is also willing to introduce measures to secure a biodiversity net gain such as new planting, bat tiles or boxes, which could be secured by condition. These environmental benefits are afforded moderate weight.

18. Due to the quantum of the development, the associated economic and social benefits from construction jobs and indirect spend in the economy, as well as local support and spend in local services and facilities, would therefore be limited.
19. The proposal would make use of land within an existing settlement area that is outside of the Green Belt and is not part of either a National Landscape (Area of Outstanding Natural Beauty) or an Area of Great Landscape Value, where the main parties agree that the principle of housing development is acceptable. The internal layout of the dwelling would also meet and slightly exceed the Nationally Described Space Standards for a two-storey, two-bed three-person dwelling. However, accordance with the Council's spatial strategy and development management policies would neither weigh in favour nor against the proposal. The Framework is also clear that the efficient use of land should take into account the importance of securing well-designed places. Due to the harm that would result from the proposal, at best this would only be an environmental benefit of very limited weight.
20. In the particular circumstances of this case, the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. It would not therefore be the sustainable development for which paragraph 11 d) ii of the Framework indicates a presumption in favour.

Conclusion

21. The proposal would conflict with the development plan as a whole and the material considerations before me, including the Framework, do not indicate that a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR