

Appeal Decision

Site visit made on 20 August 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2024

Appeal Ref: APP/H1705/W/24/3342479

Meadow View, Sherfield Road, Bramley, Hampshire RG26 5AG

- 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 Thomas Howard Williamson (Maple Property Services Limited) against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/02946/FUL.
 - The development proposed is erection of two semi-detached 2 bedroom bungalows located at the rear of Meadow View following the demolition of an existing green house.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two semi-detached 2 bedroom bungalows located at the rear of Meadow View following the demolition of an existing green house. at Meadow View, Sherfield Road, Bramley, Hampshire RG26 5AG in accordance with the terms of the application, Ref 23/02946/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether acceptable living conditions would be provided for future occupiers of the proposed dwellings with regard to light and outlook.

Reasons

Character and appearance

3. The appeal site comprises a section of garden land at the rear end of the detached bungalow of Meadow View, which faces Sherfield Road within the settlement area of Bramley village. The bungalow and its rear outbuildings have planning permission¹ for their demolition to provide a new detached dwelling. This scheme did not appear to have been implemented at the time of site visit, and the bungalow appeared to be unoccupied. The existing rear garden of Meadow View is long and there are views towards mature trees

¹ Local Planning Authority Ref: 23/02907/FUL

beyond. The recently constructed Marguerite Close dwellings are visible across the eastern side boundary and other dwellings are also visible beyond the rear elevation. Whilst the site and its environs therefore do not feel particularly rural in character, it has a spacious and verdant appearance and feel.

4. The overall plot of Meadow View is long and while it is clearly not as wide as the Marguerite Close redeveloped site, its width is similar to the other nearby frontages along Sherfield Road. This road contains a mixture of dwelling designs and ages and their scale and height also range from single storey to two storey. The proposed dwellings would be partially visible at a distance from Sherfield Road across the Marguerite Close access, and other views along the road are restricted by shrubbery and dwellings. The proposed dwellings would therefore not be widely visible from along Sherfield Road, irrespective of any future redevelopment of the Meadow View bungalow.
5. The dwellings would sit alongside the adjacent bungalows of Marguerite Close and would form a continuation of this established rear development line. The Local Planning Authority's (LPA) statement of case refers to Paragraph 8.23 of the Design and Sustainability Supplementary Planning Document (DSSPD) 2018, which advises that buildings need to have an appropriate amount of space around them, as buildings which fill too much space are likely to appear over-scaled. Whilst the Marguerite Close site contains detached dwellings within a noticeably wider site, the proposed semi-detached bungalows are of similar height and would provide sufficient gaps to each side boundary to allow for access to their rear gardens, including cycle and bin storage.
6. The proposed siting and single storey scale would avoid the development appearing cramped either within the plot or alongside the immediate context of the Marguerite Close bungalows. The dwellings would successfully integrate with the surrounding patterns of development, despite their semi-detached built form. The scale of the dwellings would also allow for views to the mature trees beyond.
7. The proposed development would therefore respect the character and appearance of the area. In this regard, the dwellings comply with Policy EM10 of the Basingstoke and Deane Local Plan 2016 (BDLP) which requires, amongst other things, development proposals to be high quality, and to positively contribute to the existing street scene, and have due regard to the density, scale, layout and appearance of the surrounding area. The proposal would also comply with the relevant Aims and Objectives of the Bramley Neighbourhood Plan which seek, amongst other things, new developments to be proportionate in size, well designed and to complement and enhance the rural character of the village. The scheme would also meet the aims of Sections 12 and 15 of the National Planning Policy Framework (the Framework), as it would provide a well-designed appearance and layout that contributes to the natural and local environment.

Living conditions

8. One of the proposed dwellings would be sited alongside a closeboard side boundary fence of No 2 Marguerite Close, and would contain two side windows serving a bedroom and kitchen facing this neighbour. This fence increases in height towards the rear and alongside the small side elevation windows of this neighbour. The elevational design and internal layout of both dwellings would

mirror each other. The respective side elevation windows of the other proposed dwelling would be at similar proximity to the other side boundary with the long rear garden of Aspley Villa, which contains trees and shrubbery and a picket fence along the side boundary.

9. The proposed orientation and proximity of each dwelling to neighbouring development and shrubbery would restrict the amount of sunlight received by the proposed side elevation windows. These windows would however still be provided with an adequate level of daylight due to the separation distances from built form and shrubbery, which would also allow for full opening of the windows to provide sufficient ventilation.
10. Whilst the outlook from both proposed side bedroom windows would be somewhat restricted, such a layout for bungalows is common in residential village areas, and the nature and frequency of a bedroom use differs to other habitable rooms. The outlook requirement for a bedroom can therefore be assessed in a more flexible manner than other habitable rooms which are typically used by the wider household throughout the day, such as living areas. In this context, the proposed side bedrooms would therefore be provided with acceptable outlook.
11. I accept that the DSSPD does not differentiate between primary and secondary rooms. However, my reading of this guidance is that it advocates an assessment of the whole dwelling layout and its garden, as Paragraph 10.14 advises that dwellings must have sufficient daylight to allow the comfortable use of habitable rooms (including bedrooms), kitchens and patio areas in gardens immediately adjoining the building. Paragraph 10.15 advises that dwellings should receive some direct sunlight in at least one habitable room in all months of the year.
12. Taking such a holistic approach, the proposed kitchen areas serving both dwellings also form part of a larger open-plan layout containing a lounge and dining area, served by a roof lantern, and also by larger bi-fold doors and windows facing predominantly to the south. Each dwelling would also be afforded with deep rear garden areas beyond. Overall, the dwellings would be provided with good levels of sunlight, daylight and outlook. The more limited sunlight and outlook for one of their two bedrooms would therefore not amount to such adverse harm to justify refusing planning permission.
13. The proposed dwellings would provide acceptable levels of light and outlook for future occupants. In this respect, the proposal complies with Policy EM10 of the BDLP which requires, amongst other things, development proposals to provide a high quality of amenity for its occupants. I have also found that the proposal complies with the advice set out within Section 10 of the DSSPD.

Other matters

14. Interested parties have raised concerns regarding the inadequacy of the proposed access road and the parking and turning spaces. As the access would only serve two small dwellings, the level of use would be low and its width is therefore adequate. The parking provision and turning space is also adequate for the amount and size of the dwellings. Although traffic signal control road works were being undertaken along the proposed access area at the time of my site visit, I noted traffic control measures nearby along

Sherfield Road. The Local Highway Authority has raised no objection, and the LPA's Waste Officer has raised no objection to the proposed bin collection point adjacent the highway. The depth of the site would also allow for appropriate management of the construction process within it. The proposal would therefore not lead to an adverse impact on highway safety or capacity.

15. Bramley Parish Council (BPC) has commented that the village has taken a great deal of development in recent times, with over 300 new builds and numerous commercial buildings converted into housing. BPC considers that this more than satisfies the Local Plan requirement for dwellings and makes reference to the draft Local Plan Update, where "the requirement for Bramley will be set at zero houses".
16. However, the LPA has not raised objection to the principal of development within the village settlement boundary. There is no evidence before me to indicate that the Local Plan contains an upper limit of dwellings that would be exceeded by this proposal. The officer report indicates that the Draft Local Plan update reached Regulation 18 consultation stage in January 2024, and there is no further evidence before me that it has progressed beyond this early stage of consultation. This Draft Local Plan can therefore only be afforded limited weight, and it does not justify refusing planning permission.
17. BPC raises concerns regarding issues with the sewerage supply in the Parish. The existing system is reportedly not coping well with current levels of housing, and it is purported that Thames Water engineers, who regularly meet with BPC, have suggested that no extra flow to the local network should be accepted until the works are complete. Thames Water have however raised no formal objection to the proposal and I can only afford limited weight to the anecdotal nature of the concerns raised, which also cannot justify refusing planning permission.
18. BPC also comments that the village infrastructure is not coping well with existing dwellings. It states that the doctor surgery is oversubscribed, the bus service is wholly inadequate, and there is only one small village shop to serve over 2000 homes. The officer report however advises that this proposal would be liable for the Community Infrastructure Levy (CIL), which will assist the Council in delivering the infrastructure support needed to support development in the area.

Conditions

19. I have considered the LPA's suggested conditions against the tests in the Framework and Planning Practice Guidance, and have amended their wording, where necessary. Condition 1 is necessary in the interests of clarity, as it specifies the approved plans. I agree that a condition specifying time limits for the development (condition 2) is necessary in the interests of certainty. Interested parties raise concern regarding damage to the boundary hedge and its future maintenance. Condition 3 requires the submission of a Hedge Protection Plan prior to commencement of development, and is necessary in the interests of the character and appearance of the area.
20. Condition 4 is necessary in the interests of biodiversity. I have amended the compliance details to refer to the submitted document that was considered by the LPA, as such details are not included in the submitted plans. A pre-slab

level condition requiring agreement of external materials (condition 5) is necessary, in the interests of the character and appearance of the area. Condition 6 is also necessary in the interests of the character and appearance of the area, including the natural environment. I have merged its requirements with some of those within the suggested condition 15, to avoid duplication and meaning that condition 15 can be deleted.

21. Conditions 7-10 are necessary to ensure adequate vehicular access and off-street parking, and to provide and encourage sustainable modes of transport. Interested parties raise concern that a tree would grow and block lines of sight along the highway, but condition 8 requires the access visibility splays to be kept free from obstruction above 1m in height. I have amended the suggested wording of condition 7 to include the plural word "properties" and to remove reference to use commencement, in the interests of precision and clarity. I have added the site plan drawing number to condition 9, in the interests of clarity and precision.
22. Condition 11 is necessary to ensure that there is no increased flood risk. Condition 12 is necessary in the interests of sustainability and I have removed the suggested reference to use commencement, in the interests of precision and clarity. Conditions 13 and 14 are necessary in the interests of neighbour's living conditions and noting that concerns have been raised regarding disturbance during construction. I have used am and pm for the working and delivery hours time limits, in the interests of clarity.

Conclusion

23. The proposal is in accordance with the development plan as a whole and the Framework, and the material considerations do not indicate that a decision should be made other than in accordance with it. The appeal should therefore be allowed.

R Cahalane

INSPECTOR

Schedule of Conditions

- 1) The development hereby approved relates to the following list of approved plans:
 - Location and Block Plans – drawing no. 2325092/1A
 - Floor Plans and roof plans – drawing no. 2325092/2
 - Elevations – drawing no. 2325092/3
 - Street Scene – drawing no. 2325092/4
 - General Layout – drawing no. 2324092/5A
- 2) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 3) No development shall commence on site until a Hedge Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The approved hedge protection shall be erected prior to any site activity commencing and maintained until completion of the development.

No development or other operations shall take place other than in complete accordance with the Hedge Protection Plan. If the hedge were to die or become seriously damaged or defective as a result of the construction phase, it shall be replaced in the next planting season with species, size and numbers to be agreed upon in writing by the Local Planning Authority.

- 4) Prior to the occupation of the development hereby approved, 2 wall-mounted bat roosting boxes and 2 bird boxes shall be erected on the dwellings in accordance with the approved document 'Biodiversity Net Gains and Landscape details' produced by Maple Property Services Ltd, dated November 2023.
- 5) No development shall commence on site above slab level until details of the types and colours of external materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.
- 6) Notwithstanding the details shown on the submitted plans, hard and soft landscape details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the proposed development.

Details shall include, but not be limited to:

- The planting plan and specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, (including replacement trees where appropriate), noting species, planting sizes and proposed numbers/densities where appropriate;

- A plan indicating the positions, design, materials and type of screen walls/fences/gates/hedges/retaining walls to be erected;
- A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;
- Details and materials to be used on all hard surfaces.

All soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, to be agreed in writing by the Local Planning Authority.

- 7) The properties hereby approved shall not be occupied until the vehicle parking area has been constructed in accordance with the approved details (General Layout – drawing no.2324092/5A) within the respective plot and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.
- 8) Before the development is brought into use, the means of vehicular access to the site shall be constructed in accordance with the approved plan (Access Statement Drg No. ITB18671-GA-003) and no structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans.
- 9) Notwithstanding the annotation on the site plan (drawing no. 2325092/1A), prior to the first occupation the site access shall be constructed with a non-migratory surface material for a minimum distance of 6m. measured from the nearside edge of the carriageway on the adjacent highway and will be maintained in that condition thereafter.
- 10) No part of the development shall be occupied until cycle parking facilities have been provided in accordance with approved drawing (General Layout drawing no. 2324092/5 Rev A). The cycle storage shall thereafter be maintained in perpetuity in accordance with the approved details.
- 11) Prior to development commencing details of the proposed drainage system, including how surface water will be managed within the curtilage, including all areas indicated to be used for vehicles and pedestrians, shall be submitted to and approved in writing by the Local Planning Authority. Provision shall be made to direct run-off water from the surface to a permeable or porous area or surface within the curtilage of the development. The drainage system shall be constructed in accordance with the approved details prior to and shall be thereafter maintained in perpetuity.

- 12) The development hereby permitted shall not be occupied until a technical report and a certification of compliance demonstrating that the development has achieved the water efficiency standard of 110 litres of water per person per day (or less) has been submitted (by an independent and suitably accredited body) to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 13) No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place before the hours of 07:30am nor after 6pm Monday to Friday, before the hours of 8am nor after 1pm on Saturdays, nor on Sundays or recognised public holidays.
- 14) No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 07:30am nor after 6pm Monday to Friday, before the hours of 8am nor after 1pm on Saturdays, nor on Sundays or recognised public holidays.

End of Schedule