

WA/2021/0423 – Erection of a dwelling and associated works (revision of WA/2020/0492)
at 31 HILL ROAD, HASLEMERE GU27 2NH

Committee: Western
Meeting Date: 22/12/2021

Applicant: D & V Legge
Parish: Haslemere CP
Ward: Haslemere East and Grayswood Ward
Grid Reference: E: 490147
N: 132581

Case Officer: Lara Davison
Neighbour Notification Expiry Date: 09/04/2021
Expiry Date: 13/04/2021

RECOMMENDATION That permission be **REFUSED**

1. Summary

This application has been brought before the Area Committee at the request of the Local Ward Member. The planning reasons for call in relate to the impact on the character of the area and the setting of the listed building.

The application proposes the erection of a 3-bedroom detached dwelling within this existing residential curtilage of 31 Hill Road. There is a long history of refusals on the application site, the most recent application being WA/2016/1032. Officers do not consider that the revised application overcomes the reason for refusal as set out by the Inspector at the dismissed appeal. As such, Officers are recommending refusal of the application due to the materially harmful effect on the character of the area in terms of space and scale.

Location Plan





Block Plan

Proposed Elevations
Proposed Floor Plans

2. Site Description

The application site is located on the southern side of Hill Road. The site comprises an area of land which originally formed the amenity space of 31 Hill Road; however, the site has since been subdivided and fenced off. Land levels slopes down from the main road to the south and west. The surrounding area is residential in character, predominantly characterised by two storey detached residential properties set in medium to large plots.

3. Proposal

- Erection of a three-bedroom detached dwelling with associated parking and amenity space
- The dwelling would be set back from the road, with amenity space provided to the rear and the side.
- Vehicular access would be provided on the northern boundary with space for three cars proposed to the front and side of the proposed dwelling

4. Relevant Planning History

Planning history relating to an attached dwelling

Reference	Proposal	Decision
WA/2019/1052	Application under Section 73 to vary Condition 1 of WA/2019/0360 (approved plan numbers) to allow alterations to the layout of amenity and parking areas.	Full permission 14/08/2019
WA/2019/0360	Application under Section 73 to vary Condition 1 of WA/2017/1111 (approved plan numbers) to allow alterations to fenestration, internal layout and external amenity space.	Full permission 18/04/2019
WA/2017/1111	Erection of an attached dwelling (as amended by plan received 15/08/2017).	Full permission 27/10/2017

Planning history relating to a detached dwelling

Reference	Proposal	Decision
WA/2016/1032	Erection of a dwelling.	Refused 04/08/2016 Appeal dismissed 04/08/2016
WA/2015/1957	Erection of a dwelling.	Refused 07/01/2016
WA/2013/0723	Erection of a dwelling and alterations to vehicular access (revision of WA/2012/1825).	Appealed for non-determination 12/07/2012 Appeal dismissed 12/07/2012

WA/2012/1824	Alternative proposal 1: Erection of two-bed detached dwelling including alterations to existing access arrangements (as amended by plans and aerial photograph received on 28/11/2012 and 19/12/2012).	Refused 14/01/2013 Appeal dismissed: 02/04/2014
WA/2005/1565	Erection of a detached dwelling and double garage	Refused 18/10/2005
WA/2004/1614	Outline application for the erection of a new dwelling and associated garage together with new garage to serve existing dwelling.	Refused 15/09/2004 Appeal dismissed 15/09/2004

5. Relevant Planning Constraints

Developed Area of Haslemere
TPO: 10/04
Wealden Heaths II SPA Buffer Zone
Adjacent to Grade II Listed Building

6. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018):

SP1: Presumption in Favour of Sustainable Development
SP2: Spatial Strategy
ALH1: Amount and Location of Housing
ST1: Sustainable Transport
TD1: Townscape and Design
HA1: Protection of Heritage Assets
NE1: Biodiversity and Geological Conservation
NE2: Green and Blue Infrastructure
CC1: Climate Change
CC2: Sustainable Construction and Design
CC3: Renewable Energy Development

- Waverley Borough Local Plan 2002 (retained policies February 2018):

D1: Environmental Implications of Development
D4: Design and Layout
D6: Tree Controls
HE3: Development Affecting Listed Buildings or their Setting

- Haslemere Neighbourhood Plan 2013-2032:

H1: Designation and purpose of the settlement boundaries

H3: Sustainable development outside the settlement boundaries or on designated land

H4: Windfall development

H7: High quality external design

H9: Access and transport

H11: Trees, woodland and hedgerows

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- National Design Guide (2019)

7. Consultations and Town Council Comments

Haslemere Council	Town	No objection
Natural England		No objection
County Authority	Highway	No objection
Thames Water		No objection

8. Representations

6 letters have been received expressing support for the following reasons:

- Proposal will fit well within the neighbourhood
- Appropriate for Hill Road
- Enhancement to the area due to more appropriate boundary treatment between Shepherds Down
- Application addresses all previous concerns
- The proposed dwelling seeks to imitate the style of 31 and 33 Hill Road so is in keeping. The footprint of the proposed dwelling is less than half the width of the site so further enhancing the feeling of spaciousness which is a feature of surrounding properties

9. Planning Considerations:

10. Principle of development

The site is located within the developed area of Haslemere wherein development may be considered acceptable subject to its impact on visual and residential amenities.

11. Planning history and differences with previous proposal

The planning history is a material consideration.

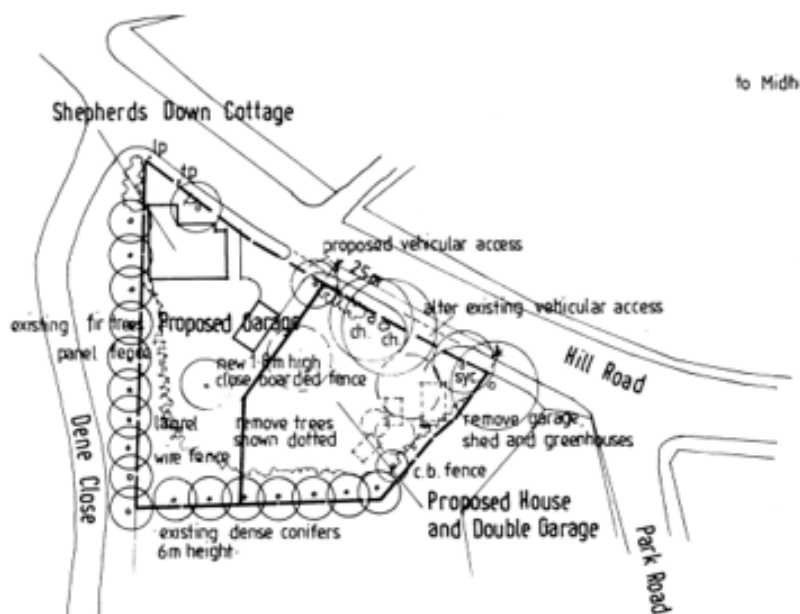
Planning permission has been previously refused under WA/2016/1032 and dismissed at appeal. However, there are numerous other applications on this site where permission has been refused for the erection of a detached dwelling. Officers would note that there is also a permission on site for an attached dwelling.

The following table highlights the main differences between the current proposal and the previously dismissed/refused schemes for detached dwellings:

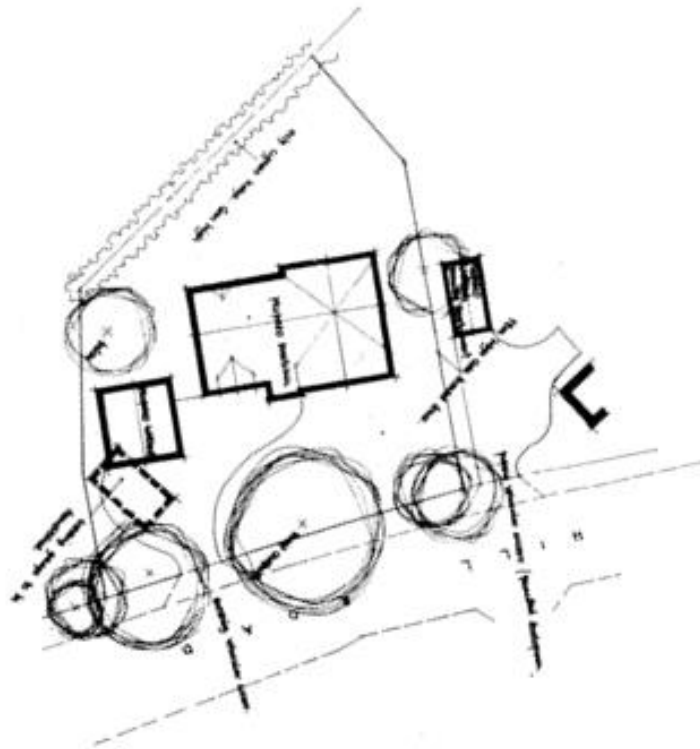
	WA/2012/1824	WA/2013/0723	WA/2015/1957	WA/2016/1032	Current application WA/2021/0423
Footprint of entire development	111m ²	100m ²	60m ²	62m ²	92m ²
Floor area of entire development	141m ²	151m ²	100m ²	90m ²	142m ²
Height of dwelling to ridge	6.91m	7.63m	6.81m	6.9m	8.41m
Width of dwelling	13.97m	8.56m	9.6m	9.6m	7.34m
Depth of dwelling	10.37m	10.24m	7.6m	7.6m	13.84m

The application site for WA/2016/1032 measured 588m² whereas the application site for the current proposal measures 447m².

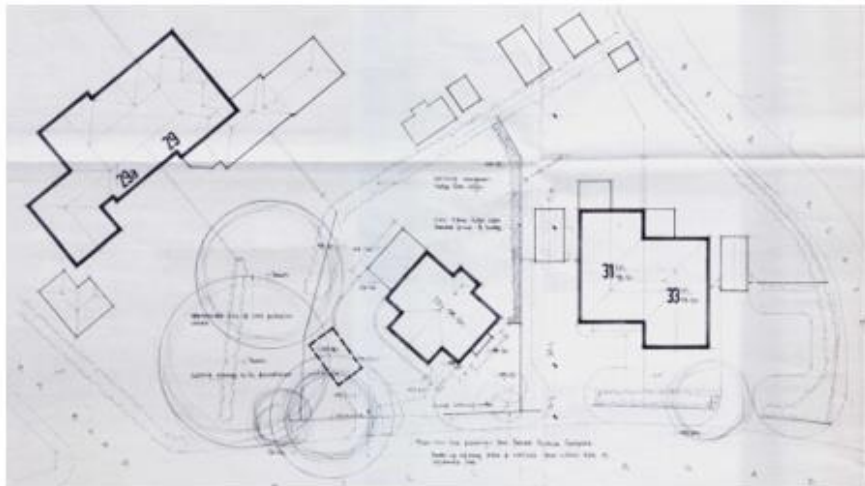
Officers have provided a comparison of the block plans of the previous six refusals on this site as well as providing the proposed block plan for the current application again. This comparison does not include any applications that have been withdrawn.



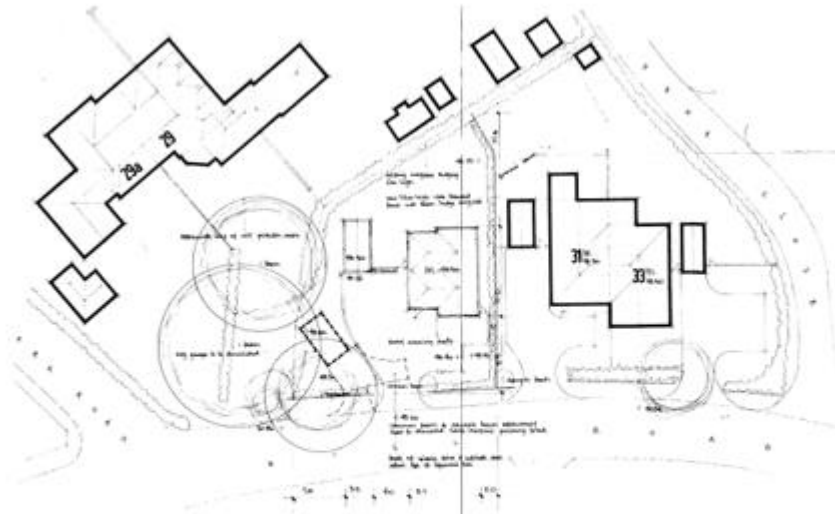
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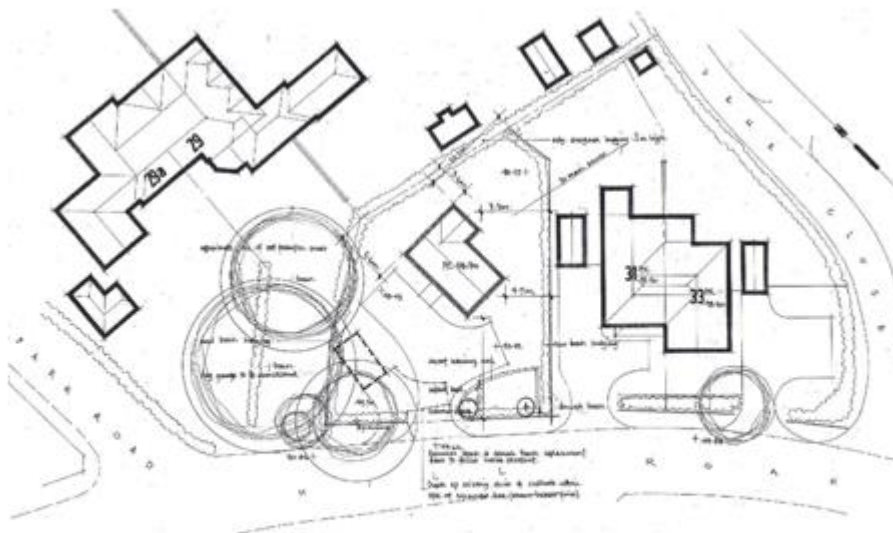
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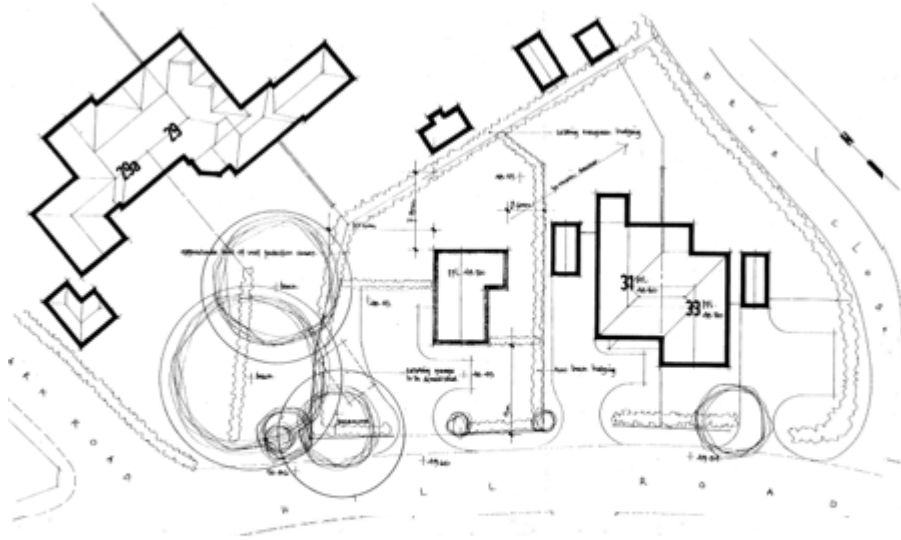
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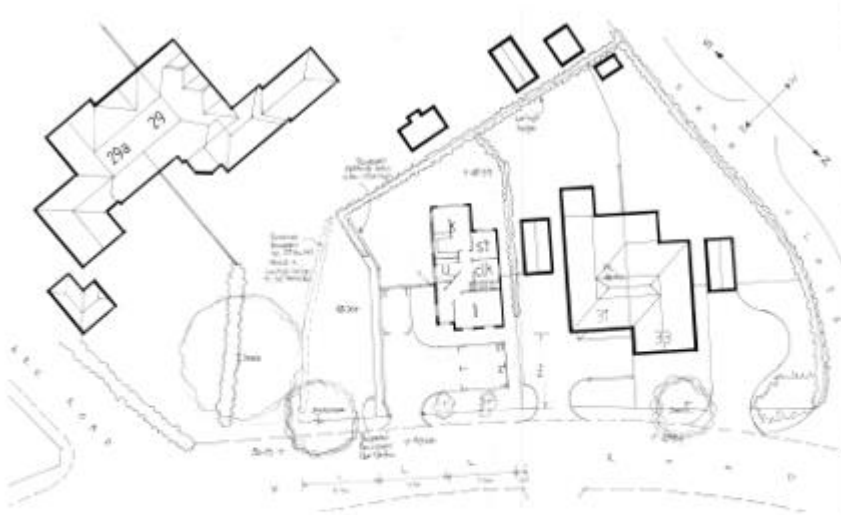
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WA/2021/0423	Erection of a dwelling and associated works (revision of WA/2020/0492)	Pending decision
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The differences between the current proposal and WA/2016/1032 are listed as follows:

- Reduced plot size
- Revised positioning within plot
- Revised layout of dwelling
- Revised design of dwelling
- Revised orientation of the dwelling

The test is whether having regard to the changes, the current proposal has overcome the objections to the previously refused scheme and is acceptable in its own right.

12. Housing Land Supply

The Council published its latest Five Year Housing Land Supply Position Statement, with a base date of 1 April 2021, in November 2021. The Five Year Housing Land Supply Position Statement for 2021 demonstrates the Council has a housing land supply of 5.2 years. The current proposal would provide a small contribution to the housing land supply in the Borough. This is a material benefit, which must be weighed against the other considerations for this application.

13. Design and impact on visual amenity

The proposed development comprises the erection of a detached dwelling with associated parking and amenity space within the existing residential curtilage of 31 Hill Road. The proposed dwelling measures 7.34m width x 13.84m depth x 4.98m height to eaves x 8.41m height to ridge. External materials consist of plain clay tiles for the roof and tile and facing brickwork. Officers consider that the proposed materials would be appropriate for the surrounding area and as such acceptable in terms of visual appearance.

The proposed dwelling is two storey with a hipped roof and small pitched roof gables set within the eaves. The dwelling would provide 3 bedrooms at first floor level and a large kitchen, lounge area, utility room and study at ground floor area. The proposed dwelling would be set back from Hill Road by 9.15m, approximately the same distance as the previous proposal.

The surrounding area is characterised by detached dwellings in relatively large plots which gives the surrounding area a spacious appearance. This is commented on by the Inspector at the previously dismissed appeal for WA/2016/1032 who states the following:

'The area around the site has a distinctive, spacious character distinguished by large detached house of two or three storeys, standing in plots with areas many times greater than their footprints. In this distinctive spatial context, its site coverage, in terms of its footprint and the volume of development, would appear significantly smaller and at odds with the character of the area which has a grander scale. At the same time, the proportion of the plot which would be occupied by building would be substantially greater than the proportion occupied by many of the surrounding houses.'

The following table sets out a comparison of the footprint and plot size of this scheme in comparison to the current proposal:

	WA/2016/1032	WA/2021/0423
Footprint of dwelling	62m ²	92m ²
Size of proposed residential curtilage	588m ²	447m ²

Given the above assessment made by the Inspector in relation to the previously dismissed proposal, the reduced size of the proposed site in combination with the increased footprint of the dwelling would result in a dwelling which would still appear at odds with the character of the area which has a grander scale.

Overall, the proposed development would have a materially harmful effect on the character of the area in terms of space and scale, and as such would conflict with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Local Plan 2002.

14. Impact on residential amenity

Policy TD1 of the Local Plan 2018 (Part 1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained Policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2021.

The application site is located next to 29 Hill Road and 31 Hill Road. Both of these residential dwellings will need to be considered in terms of harm to residential amenity.

29 Hill Road

29 Hill Road is located to the south east of the application site. A 17.5m separation distance is retained between the closest elevation of no. 29 and the rear corner elevation of the proposed dwelling. Having regard to the positioning of the proposal in relation to this property and the separation distance, it is considered that the proposal

would not result in any material harm to the amenity of this neighbouring property by way of overlooking, loss of light or overbearing impact.

31 Hill Road

31 Hill Road is located to the west of the application site. A 7.2m separation distance is retained between the flank elevation of the proposed dwelling and the main flank elevation of no. 31. There is a window proposed in the side elevation which would serve the staircase. No other windows serving habitable rooms are proposed on the first floor elevation. Officers consider that given the window in the side elevation would serve the staircase, this would not result in a degree of overlooking towards the amenity space at 31 Hill Road to require a condition to be obscurely glazed.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policy TD1 of the Local Plan Part 1 2018, retained Policies D1 and D4 of the Local Plan 2002 and the Residential Extensions SPD.

15. Impact on adjacent Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

Retained Policy HE3 of the Local Plan 2002 are afforded significant weight owing to their consistency with the NPPF 2021.

The Heritage Officer has been consulted on the proposed development and has made the following comments.

The significance of the Heritage Assets that are potentially affected are the Shepherds Down & Hollies Grade II Listed Building. Shepherds Down & Hollies was formerly one dwelling designed and built for Sir Archibald Geike, the celebrated geologist and volcanologist, as his retirement home in 1913. It is in the arts and crafts style, a popular style for the area and period, showing some influences from C.F.A Voysey. The application site is in front of the Listed Building and may have originally been part of its curtilage. This foreground is an important part of the Listed Building's setting however it has been obscured for many years.

The Heritage Officer has reviewed the previous applications and note that the Inspector for the dismissed application WA/2016/1032 and stated there was no impact on the setting of the Listed Building given that development is already in its setting, the site topography and the planting in front of the Listed Building. The proposed scheme is for a detached dwelling which would be larger than the dismissed scheme and its footprint would finish 1m closer to the Listed Building. However, the height at the end closest to the Listed Building is lower going down to single storey, there is therefore no additional harm than that of the scheme under WA/2016/1032. The proposal includes transferring some of the land to Shepherds Down and removing the hedge which would open it up more and enhance the setting of the Listed Building. As such, given the above assessment, the Heritage Officer has identified no harm to the Listed Building.

As no harm has been identified, it is not necessary to weigh up the public benefits against any identified harm. The proposal would therefore be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy HA1 of the Local Plan (Part 1) 2018 and retained Policies HE3 and HE5 of the Local Plan 2002.

16. Standard of accommodation and provision of amenity and play space

The Government's technical housing standards – nationally described space standard (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight but used as guidance to inform the decision on this proposal.

The proposed dwelling has a total internal floor area of 142m² which exceeds the technical guidance for a 3 bedroom 5 person dwelling (93m²). Further, two out of the three bedrooms comply with the Technical Standards in regard to adequately sized bedrooms and adequate storage space. However, given the lack of a Local Plan policy requiring this and the overall compliance with the recommended dwelling floorspace size, this is not considered a sufficient reason to warrant refusal of the proposed development. The proposed dwelling therefore provides an appropriate internal standard of accommodation. Officers consider there is adequate useable amenity space for future residents and all proposed habitable rooms would be provided with sufficient light and outlook. As such, Officers consider the proposal to be in accordance with Policy TD1 of the Local Plan (Part 1) 2018.

17. Impact on Highways and Parking

The application has been assessed by the County Highway Authority, who have undertaken an assessment in terms of safety, capacity and policy grounds and recommends conditions on any permission granted.

It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. In order to formalise the proposed access point, a condition has been suggested by the County Highway Authority. The Highway Authority considers that the proposal will not have a material impact on highway safety.

Officers are satisfied that there are sufficient car parking spaces within the site that would accord with Waverley Borough Council's Parking Guideline of 2.5 spaces for a 3+ bed unit. The proposal would be in accordance with Policy ST1 of the Local Plan Part 1 (2018).

18. Impact on Trees

Policy NE2 of the Local Plan (Part 1) 2018 outlines that the Council will seek, where appropriate to maintain and enhance existing trees, woodland and hedgerows. Retained Policies D6 and D7 of the Local Plan 2002 requires that trees or hedges which are to be retained are adequately protected during construction to avoid root damage including activities causing soil compaction or severance of roots.

The Trees and Landscape Officer has been consulted on the application and has made the following comments on the submitted Tree Protection Plan 02/21.

The Trees and Landscape Officer considers that if removal of the concrete shed base is necessary, it should be manually broken up and removed. There must be no incursion by vehicle such as diggers into the RPA of T1-T3. The void is to be filled with crushed rock (5-15cm diameters mixed with quality topsoil) Alternatively the concrete base should be broken up and the majority left in situ and dressed with topsoil.

Heras fencing for T1, 2 and 3 appears to be located at correct distance in accordance with x12 dbh. This would need to be erected and attached to a static frame prior to commencement of construction activities as per the tree consultant recommendations. This would be attached as a precommencement condition on any permission granted.

To the front of the application site are two trees: T4 and T5 Beech both of which are young trees. The Trees and Landscape Officer considers that the future growth of both trees has not been considered. They will adversely impact upon the nearest proposed 2nd car parking bay closest to them. The Trees and Landscape Officer would recommend losing this 2nd bay (there are 3 bays in total being proposed, reducing to two) and having this area landscaped i.e. laid to soil with some shrubbery. This would allow for unhindered main stem/canopy expansion of both trees into maturity without causing direct root damage/ constant debris/leaf nuisance.

There is a sycamore located in the eastern corner of the site, which is subject to a TPO. This is proposed to be retained as part of the application. This is considered

appropriate as it contributes to the setting of the site and offers a high degree of visual amenity. Conditions should therefore be included to ensure this tree is adequately protected during the proposed works, if planning permission is granted.

Full details of a proposed landscaping scheme could be secured by condition to ensure that the appearance of the development is softened with appropriate planting and the verdant character of the site maintained. Notwithstanding the concerns raised by the Trees and Landscape Officer in regards to one of the parking spaces and the future growth of the trees to the front of the site, this is not considered sufficient to warrant a refusal reason on its own.

19. Effect on SPAs

The site is located within the Wealden Heaths and East Hants SPA Buffer Zones. The proposal would result in an increase in people (permanently) upon the site. However, due to the availability of alternative recreational opportunities within the area, which could divert residents from use of the SPA, the proposal would not have a likely significant effect upon the integrity of the SPA. An appropriate assessment is not, therefore, required.

20. Accessibility

Policy AHN3 of the Local Plan (Part 1) 2018 states that the Council will require the provision of new developments to meet Building Regulations M4 (2) Category 2 standard: "Accessible and adaptable dwellings" to meet the needs of older people and those with disabilities. The supporting text to the policy states that this will be delivered through the implementation of planning permissions. As such, this will be picked up by the building control process when planning permission is implemented.

21. Sustainability

Waverley Borough Council has declared a climate emergency. The motion was passed at a Full Council meeting on Wednesday 18th September 2019 which sets out the Council's aim to become carbon neutral by 2030.

Policy CC1 of the Local Plan Part 1 2018 relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, setting out several measures against which developments should accord.

Policy CC2 of the Local Plan (Part 1) 2018 seeks to ensure all new development includes measures to minimise energy and water use. The Policy goes on to say that new dwellings shall meet the requirement of 110 litres of water per person per day. A condition would be recommended requiring the submission of details to confirm that the dwellings have been designed and completed to meet the requirement of 110 litres of water per person per day, prior to the occupation of the dwellings.

22. Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland or water, and is not an agricultural building or barn. Having regard to this, and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance. However, an informative should be added to remind the applicant that protected species may be present at the property and that works should stop should they be found during the course of the works. The proposal would therefore accord with Policy NE1 of the Local Plan 2018 (Part 1).

23. Conclusion

The planning balance assessment concludes that the proposal is not in accordance with the Development Plan and the benefits of a new dwelling within the Developed Area of Haslemere would not outweigh the adverse impacts in relation to the harm to the surrounding character of the area. As such, planning permission is recommended for refusal.

Recommendation

That permission be REFUSED for the following reason:

1. The proposal by virtue of its size and scale in relation to the size of the plot and its relationship with the surrounding area would result in a loss of open character and a cramped appearance which would be harmful to the streetscene and the visual amenity of the area, contrary to retained Policies D1 and D4 of the Local Plan 2002, Policy TD1 of the Local Plan (Part 1) 2018 and the NPPF 2021.

Informatives:

1. The plan numbers this decision relates to are:
1220/80 Floor Plans + Elevations
1220/81 Site Layout
unlabelled location plan scale 1:1250

2. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2021.