

Appeals Progress Report

1. Appeal Decisions

1.1 Appeal against refusal of planning permission 22/00125/FULPP for “New detached three-storey 3-bedrooms 6-persons dwelling house with associated bin and cycle stores, removal of existing footway crossover and reinstatement of pavement and formation of parking bay on road” and refusal of planning permission 22/00126/FULPP for “New detached two-storey 2-bedrooms 4-persons dwelling house with associated bin & cycle stores, and on-site parking space” both at **6 East Station Road, Aldershot**. The Council refused planning permission for both applications on the 20th April 2022 for the following reasons:

- 1 The proposals fail to make provision for off-road parking for the existing and proposed dwellings in accordance with the requirements of the Council's adopted standards as set out in the Car & Cycle Parking Standards Supplementary Planning Document in an area of high parking stress, which is likely to increase existing friction between neighbours and unauthorised and/or obstructive parking, to the detriment of highway safety and the amenity and convenience of the neighbours and the occupants of the existing and proposed dwellings, contrary to Policy IN2 of the Rushmoor Local Plan.
- 2 The proposal fails to make any provision for off-site Public Open Space improvements to support the addition dwelling and is thereby contrary to Policies DE6 and DE7 of the Rushmoor Local Plan.
- 3 The proposed development makes no provision to address the likely significant impact of the additional residential unit on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policies NE1 of the Rushmoor Local Plan.
- 4 The proposals fail to provide details of appropriate surface water drainage for the development as required by adopted Rushmoor Local Plan Policy NE8.

The Inspector noted that the two schemes differed only in the size of the dwellings and parking provision. The design of the dwelling in both appeals had not been contested and both had been refused for the same reasons, with the main parties submitting the same evidence on each. Therefore, while considering each appeal on its own merits, to avoid duplication, the Inspector set out the decisions in a single decision letter, referring to the scheme submitted under planning reference 22/00125/FULPP as Appeal A - APP/P1750/W/22/3309374 and that submitted under reference 22/00126/FULPP as Appeal B - APP/P1750/W/22/3309376.

The Inspector stated that the main issues are whether the proposed development would provide sufficient parking in the interests of the proper function of the area and highway safety; adequate provision for off-site public open space (POS) improvements; and the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA).

The Inspector noted that the appeal site currently provides 1 off-street parking space for the existing dwelling. Appeal A would not provide any off-street parking but would remove an existing pavement crossover allowing the creation of 1 additional on-street parking space. Appeal B would retain 1 off-street parking space.

Policy IN2 of the Rushmoor Local Plan (LP) requires parking to be provided in accordance with the Car and Cycle Parking Standards Supplementary Planning Document (SPD), amongst other things. The Inspector stated that the SPD would require 2 off-street parking spaces for both the new and existing dwelling in Appeal A and B. However, the Inspector acknowledged that as the existing dwelling only benefits from 1 off-street parking space it would not be more harmful should this lower provision for one of the dwellings in Appeal A and B be retained. The Inspector commented that considering the sustainable location of the appeal site and the proximity to the railway station, the SPD also makes provision for new build development to provide 1 off-street parking space per dwelling, subject to some limitations. Nonetheless, even with the minimum requirement of 1 space per dwelling both Appeal A and B would still be unable to provide adequate parking provision. (Officer Note: The circumstances as set out in the SPD that the Inspector refers to relate only to defined Town Centre areas, and the appeal site lies outside such an area.)

The Inspector noted that the SPD lower standard for retention and re-use of existing buildings within the defined town centre does not apply to either Appeal A or B as they both proposed a new build dwelling and lie outside the defined town centre.

The Inspector acknowledged that the SPD is around 6 years old and relies on car parking data from 2011 and 2012. However its reasoning for prescribing residential parking provision is nonetheless robust. There was nothing in the appeal submissions to inform a conclusion that the SPD should not be followed.

The Inspector concluded that Appeals A and B are both unable to provide sufficient parking in the interests of the proper function of the area and highway safety. They both fail to accord with the standards set out in the SPD, and so conflict with LP Policy IN2.

The decision noted that provision of Public Open Space and mitigation for the impact on the Thames Basin Heaths Special Protection Area by means of SANG and SAMM contributions as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy could have been secured by means of a S106 Planning Obligation, but that there was no such agreement in place to secure such a contribution, and as they intended to dismiss both appeal, it was not necessary for these matters to receive further consideration.

The Inspector noted that both parties agree that matters relating to surface water drainage detail could be dealt with by condition. Considering the appeal site was within flood zone 1, and no other objections relating to flooding have been made, they agreed that a condition to secure such detail would be appropriate.

Under the heading of Planning Balance and Conclusion, the Inspector noted that the National Planning Policy Framework (the Framework) seeks to boost the supply of homes and make more efficient use of land in accessible locations. Both Appeal A and B would provide a net increase of 1 home in an accessible location. The appellant states in both Appeals that there is a need for 2 and 3 bedroomed family homes, however there was nothing before them evidencing this. Therefore, along with the associated economic and social benefits, the Inspector considered that this contribution to the windfall element of the Council's 5-year housing land supply would attract only limited weight, based on the number of houses involved.

However, both Appeal A and B would fail to secure appropriate parking provision to the detriment of the function and highway safety of the area; and fail to provide a suitable mechanism to secure contributions to both POS and the SPA. Consequently, when weighed against the policies in the Framework taken as a whole, the Inspector found that the adverse impacts of granting planning permission would outweigh the proposed benefits.

APPEALS DISMISSED

2. Recommendation

2.1 It is recommended that the report be **NOTED**.

Tim Mills
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