

Appeals Progress Report

1. Decided Appeals

- 1.1 Appeal against refusal of planning permission for “Demolition of existing garage and erection of new detached three-storey 3-bedrooms 6-persons dwelling house with associated parking, bin and cycle stores” at **6 East Station Road Aldershot Hampshire GU12 4LB** - 23/00296/FULPP.
- 1.2 Planning permission was refused under delegated powers in June 2023 for the following reasons:-
- 1 *The proposed development, by reason of the proposed integral car port and lack of ground floor windows on the front elevation, together with the introduction of parking at the front of the site, is considered to be incompatible with the established pattern of development of the area in terms of its fenestration and elevational detail and that this represents poor quality design that would adversely affect the street scene and character of the of area. The proposal is therefore contrary to Policies DE1 and DE11 of the Rushmoor Local Plan.*
 - 2 *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.*
 - 3 *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.*
 - 4 *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.*
- 1.3 This application was the third proposal for residential redevelopment of this site, with two previous applications being refused planning permission and subsequently being dismissed at Appeal - 22/00125/FULPP and 22/00126/FULPP refer.

- 1.4 Officer Note – While the Planning Inspector’s Decision Letter was issued on 7th August 2024, the Council did not receive the email from the Planning Inspectorate containing this and the Case Officer only became aware that the decision had been made in December 2024, hence the delay in reporting this Appeal decision.
- 1.5 The Inspector considered that the main determining issues for the appeal to be:
- 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.
- 1.6 On Character and Appearance, the Inspector supported the Council’s conclusions that the proposal would have a negative impact on the character of the area. The Inspector noted that the front elevations of the existing properties in this part of East Station Road abut 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. While the proposed dwelling would take its design cues, in respect to the upper floor and roof, from the adjoining dwellings, 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.
- 1.7 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.
- 1.8 The Inspector concluded that 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.
- 1.9 On parking, the Inspector agreed with the Council that the proposals failed to provide satisfactory off-road parking for the development in line with the standards set out in the Car & Cycle Parking Standards SPD in a number of respects, namely the provision of the requisite number of spaces for the new dwelling itself and of the correct dimensions and also replacement of the space

provided by the garage for the existing dwelling. The Inspector noted that the current version of the Parking SPD is a recent document adopted in March 2024, which has superseded the version considered by the Inspector in relation to the previous Appeals. The Inspector noted that the SPD is based on local evidence and complies with paragraph 111 (previously paragraph 107) of the National Planning Policy Framework and accordingly attracts full weight.

- 1.10 The Inspector considered arguments by the Appellant that a reduced parking standard should be applied but found no evidence to support this in the SPD. Nor was evidence presented to demonstrate that the area is not one with high parking stress as argued by the Council. The Inspector concluded that 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.
- 1.11 Regarding planning balance, the Inspector noted that the appeal scheme 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.
- 1.12 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.
- 1.13 The Inspector also acknowledged 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.
- 1.14 However, given the modest quantum of housing development proposed, the Inspector ascribed moderate weight to these benefits when considered cumulatively. They 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 and attach significant weight to this harm. 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.

- 1.15 The Inspector noted that a Unilateral Undertaking had been submitted in respect of public open space improvements and mitigation concerning the Thames Basin Heaths Special Protection Area. However, given their overall findings there was no need to consider this further.
- 1.16 The Inspector considered that 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. The appeal was therefore **DISMISSED**.

2. Recommendation

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

Tim Mills
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