

Planning Committee

7 October 2020

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact

Sophie Butcher (Tel: 01483 444056)

1.	<p>Mr Jones 15 Tormead Road, Guildford, GU1 2JA</p> <p>20/P/00382 – The development is described on the application form as 'Additions and alterations (amendment to planning permission 19/P/01742).</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none">• The main issues are the effect of the development upon the character and appearance of the area; and the effect of the development upon the living conditions of the occupiers of No.13 Tormead Road in respect of privacy.• The appeal property is a two-storey detached dwelling, which is positioned on the southern side of Tormead Road. The surrounding area has a suburban residential character and the properties along Tormead Road predominantly consist of a mix of single-storey and two-storey detached dwellings.• The development consists of the erection of a porch canopy; a first-floor box structure to the north east side elevation; extensions to the front, side and rear of the host building; and changes to fenestration at the host building.• The Council argue that the first-floor box structure on the side elevation is an incongruous design feature to the host building, which causes harm to the character and appearance of the area. I have no reason to disagree with the Council in respect of this matter.• The first-floor box structure is tied into the roof of the host building, which creates a catslide roof form to the side of the host building. Whilst I recognise that other properties on Tormead Road do not feature side facing box structures, when viewed from the street, the roof form of the development has a similar appearance to other properties on Tormead Road, which have catslide roof forms.• Moreover, owing to its limited projection and the extent to which it is set back from the front elevation of the host building, in addition to the tile hung exterior which is well related to the design of the host building and the surrounding properties. I consider that the box structure does not compete with the architectural integrity of the host building, nor is it a dominant feature within the streetscene.• To conclude, the development retains a subservient relationship with the host building and safeguards the architectural interest of the dwelling. In addition, the development is in-keeping with the character and appearance of the area.	<p>*ALLOWED</p>
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	<ul style="list-style-type: none"> • As such, the development accords with policies H8 and G5 of the Guildford Borough Local Plan (2003) (the LP) and Policy D1 of the Guildford Borough Local Plan; Strategy and Sites (2019) which among other things require development including residential extensions, to have no adverse effect on the scale and character of the existing dwelling and to achieve a high quality design that reflects the local character. • The development accords with the Council's Residential Extensions and Alterations Supplementary Planning Document (2018) (the SPD) in so far as the development is appropriate to the character and appearance of the existing property and to the existing street scene around the property. • The development would not result in a loss of privacy for the neighbouring occupiers of No.13. As such, the development accords with policies H8 and G1(3) of the LP, which requires development to avoid unacceptable harm to the amenity of occupiers/users of nearby properties. Moreover, the development accords with the Council's SPD in so far as it does not adversely affect the amenity of neighbouring occupiers. • The proposal would therefore be consistent with the aims of Paragraph 127(f) of the Framework, which requires that development does not have an adverse impact on the amenities of existing and future occupants. • I conclude that the appeal should be allowed. 	
<p>2.</p>	<p>Concept Developments Land to the south of Champney Cottage, Cranmore Lane, West Horsley, KT24 6BW</p> <p>19/P/01234 – The development proposed is the erection of 5 no residential dwellings with associated access works, parking and landscaping.</p> <p>Officer Recommendation: To Approve Planning Committee: 9 October 2019 Decision: Refused</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposal on the character and appearance of the area with regard to the traditional rural edge of the village, the existing built environment and whether or not the proposal offers an appropriate housing mix. • The appeal site is an area of open land bordered by trees and vegetation, on the eastern edge of West Horsley, within the settlement boundary. There is existing residential development to the north at Champney Cottage, to the west on Mount Pleasant, and a number of dwellings and associated buildings to the north-east. • I acknowledge the West Horsley Neighbourhood Plan, 2016-2033, adopted December 2018 (the NP) the characterisation of this part of the village as having a green character, and I agree with it. However, I do not agree that there is a gradual lessening of the density and built environment travelling westwards into, across and beyond the site. Instead, in my view, there is simply a change from housing in a green and verdant setting, to green and verdant countryside. • In my opinion, the location of the site, within the settlement boundary adjacent to existing housing, surrounded by trees and vegetation which is to be retained and enhanced, and adjacent to a lane which provides a strong boundary to the village edge, is appropriate for the development proposed, having regard to the existing character and appearance of the village. As a result of the existing and proposed screening, the proposal 	<p>*ALLOWED</p>

	<p>would not affect and cause unacceptable harm to any public views into or out of the village.</p> <ul style="list-style-type: none"> Given the scale and density of the housing immediately adjacent to the site, and that housing in this part of the village more generally, I consider that the scale of the proposal is consistent with that which surrounds it. It is not sufficiently more dense, nor are the particular dwellings or the overall site size inconsistent with the established character and appearance of the area. As a result, I do not consider that the proposal would represent a significant more urban form of development than that which already exists. I therefore consider that the proposal is in accordance with Policy D1 (1), (4) and (17) of the Guildford Borough Local Plan: Strategy and Sites, 2015-2034, adopted 2019 (the Local Plan), saved Policy G5 of the Guildford Borough Local Plan 2003 (the 2003 Local Plan) and Policy WH2(i) of the NP. These policies seek to direct new development to land within the settlement boundary and ensure that development is responsive to local character and context, the settlement pattern, including the landscape setting and the relationship between the built area and the surrounding landscape. With regard to plot spacing and plot sizes, I do not agree that these appear small, out of keeping with the area or would make the development appear cramped. In my opinion, the scale, arrangement, spacing and plot sizes of the proposal are consistent with that of the surrounding area. As such, the proposal is sympathetic to the existing built environment and does not cause harm to the character and appearance of the area with regard to the built environment. The proposal does therefore accord with Policy D1 (1) and (4) of the Local Plan, saved Policy G5 of the 2003 Local Plan and Policy WH2(ii) of the NP. These seek to ensure that development features high-quality design, is responsive to the distinct local character and context, and respects the scale, proportion, materials and form of its surroundings. As the proposal does include some 3-bedroom homes, I consider that it does have regard to the need set out in the NP policy and delivers housing of the size it seeks. Whilst the proposal is not entirely compliant with the requirement of Policy WH4 of the NP, it does not comply with Policy H1 of the Local Plan to deliver a wide choice of homes to meet a range of accommodation needs as set out in the SHMA. I note also that Policy H1 of the Local Plan is more recently adopted policy. As such I consider that the proposal accords with the development plan with regard to the housing mix proposed. I conclude that the proposal accords with the development plan, and that there are no material considerations of such weight that indicates otherwise. The appeal should therefore be allowed, and planning permission granted. 	
<p>3.</p>	<p>Mr Jason Kennedy 1 Trunley Heath Cottages, Trunley Heath Road, Bramley, Godalming, Surrey, GU5 0BN</p> <p>20/P/00308 – The development proposed is described as ‘Two storey side extension plus porch to new front door after demolition of existing conservatory and side extension.</p> <p>Delegated Decision – To Refuse</p>	<p>DISMISSED</p>

Summary of Inspector's Conclusions:

- The main issues are whether the proposal would be inappropriate development in the Green Belt and its effect on the openness of the Green Belt; and if the proposal would be inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.
- Policy P2 includes a definition of the term 'original building' which is the building as it existed on 1 July 1948. The submissions before me indicate that the footprint of the original building, which probably dates from the 19th Century was around 30sqm giving a floor area of approximately 60sqm. The building has subsequently been extended to the side with a single storey flat roofed addition. This has increased the floor area to around 80sqm. A conservatory has also been added to the rear and the appellant has indicated that this is around 11sqm. I see no reason why the conservatory should not be included as an existing extension. As such, the existing building has a floor area that is about 50% (91sqm) larger than the original.
- The appeal scheme would see the existing extensions demolished and the house taken back to its original size. It would then be enlarged by a two-storey side extension that would incorporate a porch. The Council is of the view that the property once extended would be 107.2sqm but the appellant suggests it would be 97.1sqm. I favour the Council's figure as the drawing shows the external dimensions of the proposed extension would be 5.9m x 3.7m (giving a floor area of about 43.66sqm) and the porch would add around 4sqm. Thus, the proposed extension would result in a floor space increase of around 77% on the original. The proposed extension would therefore be notably larger than the house as originally built. It would also be comfortably larger than it is with the existing extensions.
- The proposed extension would result in a comparatively large increase in both floor area and volume relative to the original building and this would not be offset by the removal of the existing extensions. Accordingly, the proposed extension, when compared to that of the original building, would be disproportionate.
- The appeal property would appear as having been considerably enlarged. This greater massing would appear disproportionate next to the original house when considered spatially. This would be the case even when allowing for the removal of the existing extensions, which are smaller, light weight (in respect of the conservatory) and significantly lower in height.
- In conclusion, the appeal scheme would be a disproportionate extension and therefore the proposed development would not meet the exceptions in Policy P2 of the LP. It would therefore be inappropriate development in the Green Belt which would by definition harm the Green Belt.
- The proposal would result in some modest harm to the openness of the Green Belt. The Framework advises that openness is an essential characteristic of the Green Belt, the fundamental aim of which is to keep land permanently open.
- The proposal would be contrary to the development plan and there are no other considerations which outweigh this finding. The appeal has therefore failed.

<p>4.</p>	<p>Mr Nick East 18 Abbotswood Close, Guildford, GU1 1XA</p> <p>19/P/01540 – The development proposed is the demolition of a double garage, and the erection of a new dwelling, and parking for the existing 8 Abbotswood Close and the new dwelling.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposed development on the character and appearance of the area, and whether the proposal would preserve or enhance the setting of the Abbotswood Conservation Area. • The appeal site is a 2-storey detached dwelling and associated single storey garage. It is within a suburban area characterised by 2-storey detached dwellings, of varied architectural design. • The proposed development would be much narrower than the neighbouring properties. This would be accentuated by the 2 and a half-storey appearance created by cutting into the slope to provide the off-street parking spaces at the same level as the road. It would also be located close to the host dwelling and the existing dwelling to the other side, on a relatively small plot, with the tall flank walls directly facing one another. • The remaining plot for the host property would also become relatively narrow such that both plots and properties would feel cramped. • The proposed parking spaces to both the proposed property and the host dwelling would not reflect the natural slope of the land and would create largely hardstanding for front garden areas. All of these factors would be out of keeping with the character of the area and would harm the street scene. • The site is adjacent to the Abbotswood Conservation Area. The significance of the nearby part of the conservation area is derived from fairly large detached properties set in generous plots with substantial gardens. The proposed building would infill almost the entire width of one of these characteristic gaps between dwellings in Abbotswood Close. • The appeal site is set down a slope from the conservation area and there is also a border with significant planting and tree growth separating the appeal site from the conservation area. The proposed development would still be visible to some degree, particularly the prominent top floor, and it would therefore harm the setting and the significance of the conservation area. • Overall, the proposal would harm the character and appearance of the area and would not preserve or enhance the setting of the Abbotswood Conservation Area. The proposal therefore fails to comply with the relevant parts of policies G5, H4 and HE10 of the Guildford Borough Local Plan 2003 and Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034, adopted April 2019 which seek development in character with its surrounding area including with regard to landscaping, parking, detailed design, layout, scale, proportion and form. They would also fail to comply with Chapters 12 and 16 of the Framework which, amongst other criteria, seek high quality design and the protection of heritage assets. • I conclude the appeal be dismissed. 	<p>DISMISSED</p>
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<p>5.</p>	<p>Recreation Road Guildford Limited 42 Recreation Ground, Guildford, GU1 1HP</p> <p>19/P/01617 – The development proposed is the demolition of 42 Recreation Road and all other outbuildings and the erection of ten dwellings with associated car parking and landscaping and all other associated works.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect of the development on the character and appearance of the area, and on the living conditions of neighbouring occupiers, particularly with regard to the effect to Nos 6 – 10 Pound Field. • The appeal site comprises a detached dwelling and associated outbuildings on Recreation Road, its garden and the rear part of the rear gardens to Nos 20a to 30 Stockton Road. It wraps around the properties of Pound Field, shares a border with a number of other surrounding gardens, and also partly lies adjacent to the Stoke Recreation Ground. • Overall, the predominant street pattern is of a typical suburban layout, with relatively dense and linear development along traditional street patterns. • It is proposed to provide a semi-detached pair of properties on Recreation Road adjacent to an access road that would lead into the appeal site where a further 8 dwellings with associated gardens, landscaping, and car parking spaces are proposed. • The layout of the proposed development does not follow the predominant surrounding traditional street pattern and relationship of dwellings directly addressing the road with gardens to the rear. • The spaces around the buildings, how they address the proposed road, and their relationship to one another has been particularly negatively affected by this approach. • Plots 3 and 4 would be sited adjacent to the access road but the flank wall of plot 4 would face the road. The 6 properties to be located around the turning head at the end of the access road would appear haphazardly laid out, with varying building lines and inconsistent primary elevations. • Although the proposed garden sizes would be acceptable because they would meet the minimum size standards set out in policy, the layout of the garden to Plot 8 would be awkward and the gardens for plots 2 and 4 would be located entirely alongside the access road, which would be discordant with the surrounding traditional frontage development. • Consequently, the proposal would be out of keeping with the surrounding urban grain and built form, and the proposal would harm the character and appearance of the area. • It would fail to comply with the relevant parts of policies G5 and H4 of the Guildford Borough Local Plan 2003 (the LP) and policy D1 of the Guildford Borough Local Plan: Strategies and Sites 2015-2034, adopted April 2019. These policies seek high quality layout and design appropriate to local character. It would also fail to comply with the Residential Design Guide Supplementary Planning Guidance 2004 including the guidance on backland development. • The proposed dwelling for Plot 10 would be located behind the proposed parking spaces and access road. This would be a 2-storey dwelling. It would have some effect on the outlook from the Pound Field properties and their gardens, but it would be set back from the boundary, relatively distant 	<p>DISMISSED</p>
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	<p>from the properties themselves, and this effect would be limited. The existing high boundary fence would also mitigate any feelings of overbearing to the gardens and properties of Pound Field.</p> <ul style="list-style-type: none"> • The proposal would therefore not have a significant effect on the living conditions of the neighbouring occupiers, and it complies with the relevant parts of policies G1(3) and H4 of the LP and policy D1(9) of the LP:SS which seek to protect the living conditions of neighbours and for development to meet the needs of all users including its setting in the wider environment. • I conclude the appeal is dismissed. 	
6.	<p>Mr & Mrs Stonehill 17 Lenten Close, Peaslake, GU5 9RA</p> <p>19/P/01713 – The development proposed is a construction of rear conservatory and alterations to boundary wall.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the NPPF, the effect of the proposal on the openness of the Green Belt and if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it. • The Council states the proposal would increase the floor area by 11.22m² which would result in a total percentage uplift of 60.3% inclusive of previous extensions. • A 60% increase in floor area would amount to the original building being extended disproportionately. The proposal is therefore considered to be inappropriate development in the Green Belt. • The proposed development would introduce built form into a part of the site which is currently undeveloped and as such would inevitably affect the spatial openness of the site. However, the visual impact of the proposal is limited as it is not intrusive to surrounding views from beyond the rear garden due to high boundary treatments. As such, the proposal would impact openness to a minimal degree. • Overall, the proposal would have a harmful effect, albeit to a limited degree, on openness. These harmful impacts on openness, combined with the inappropriateness of the proposal in principle, carry substantial weight. • I conclude that they do not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal. • I therefore conclude that the appeal should be dismissed. 	DISMISSED
7.	<p>Mr Hay 19 Waterden Road, Guildford, GU1 2AN</p> <p>20/P/00211 – The development proposed is removal of part front wall, repositioning of defective stone pier, creation of new steps and planters and bin storage and cycle parking; new glass roof over side entrance and slate porch over main entrance.</p> <p>Delegated Decision – To Refuse</p>	DISMISSED

Summary of Inspector's Conclusions:

- The main issue is whether the proposal would preserve or enhance the character or appearance of the Waterden Road Conservation Area (CA).
- The CA is located near to Guildford town centre and is largely a High Victorian suburb, predominantly in residential use, characterised by large townhouses and villas set in substantial plots.
- Given its design and appearance and the fact that the original front garden and stone boundary wall show little evidence of significant alteration, I consider the appeal property adds positively to the character and appearance of the CA.
- The proposed development would result in the loss of a section of the original boundary wall and significant alterations to the front garden of the appeal property, including substantial excavations to create a large area of hardstanding. Given the location of the boundary wall and the front garden adjacent to the pavement, the extent of the works would be highly conspicuous when viewed from Waterden Road and would be an unsightly and prominent feature within the CA.
- The proposed development would neither preserve or enhance the character or appearance of the CA and it would be harmful to the significance of the designated heritage asset.
- I recognise that the proposed development would provide a convenient location for the storage of refuse bins. In addition, the excavation of the garden level would increase the level of daylight and sunlight received to the basement level windows at the front of the property.
- In terms of public benefits, the proposal would provide convenient and accessible cycle parking at the site.
- The reinstatement of the slate porch would represent a visual improvement when compared to the existing porch.
- However, the public benefits would be modest due to the quantum of development proposed.
- In conclusion, the proposal would fail to preserve or enhance the significance of the designated heritage assets. The proposal would not accord with policies G5 and HE7 of the Guildford Borough Local Plan 2003 and policies D1 and D3.
- The appeal is therefore dismissed.