

20/P/01066 - 14 Devon Bank, Guildford



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BOROUGH

20/P/01066 14 Devon Bank, Guildford



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App No: 20/P/01066 **8 Wk Deadline:** 06/11/2020
Appn Type: Full Application
Case Officer: Margarita Romanovich
Parish: Friary & St. Nicolas **Ward:** Friary & St. Nicolas
Agent : Ms Jayne Wunderlich **Applicant:** Mr P. Green
Paradigm Planning Ltd
PM House
Riverway Estate
Old Portsmouth Road
Guildford
GU3 1LZ
14 Devon Bank
Guildford
GU2 4DQ

Location: 14 Devon Bank, Guildford, GU2 4DQ
Proposal: Side extension, rear porch, and garden steps

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

The application site is located within the Guildford Urban Area, Corridor of the River Wey and Millmead and Portsmouth Road Conservation Area. There are Grade II Listed Buildings and wall in the vicinity of the site.

The application property is a three-storey end-of-terrace dwelling located within a cul-de-sac of similar flat roofed properties with integral garages, driveways and rear gardens.

There is a TPO tree in the rear garden.

Summary of considerations and constraints

The immediately surrounding area is characterised by a mix of building sizes, designs and types. There are also varying separation distances from Portsmouth Road and between the buildings. The development at Devon Bank reads on its own given that the properties are set down from and do not front Portsmouth Road, have a block like form and flat roofs. It is concluded that there is no defined building line along this section of Portsmouth Road. Therefore, extending the property closer to Portsmouth Road is not considered to harm the character of the Millmead and Portsmouth Road Conservation Area.

Given that the proposed three storey side extension would match the scale of the existing dwelling in terms of height, depth and width, it would not appear subservient to the host dwelling. Instead, it aims to provide visual continuity of this row of terraced properties to retain the same rhythm and for the extension to not appear unduly prominent.

The proposed porch extension would be a minor addition that is not considered to harm the character of the existing property or the conservation area.

Only about 10% of the existing bank to the front of the dwelling would be removed. Such a minimal reduction in the size of the bank is not considered to harm the character of Devon Bank or the Millmead and Portsmouth Road Conservation Area. Its full reinstatement is secured by a planning condition.

The proposed development is not considered to result in a detrimental impact on residential amenities of the neighbouring properties.

The proposed development would require the felling of 4 garden trees, which has been granted under tree application 20/T/00021. The rear garden trees, including the TPO tree, would be retained. A condition is added requiring the applicant to submit an arboricultural method statement and tree protection plan to ensure that the retained trees are adequately protected during the construction of the development.

As such, the proposed development is recommended for approval.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: AE01 REV A, DP-PA-01, DP-PA-02, DP-PA-03, DP-PA-04, DP-PA-05, DP-PA-07, DP-PA-08, TCP 01 received on 01/07/20; DP-PA-06 received on 03/07/20; DP-PA-08 REV D and DP-PA-09 REV B received on 14/09/20.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory.

4. No equipment, machinery or materials shall be brought on to the site for the purpose of the development until:

a) An Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction', are submitted to and approved in writing by the LPA. The approved Arboricultural Method Statement must be adhered to in full, and may only be modified subject to written agreement from the LPA.

b) A site meeting has taken place where a representative from the Local Planning Authority has inspected and approved the protective fencing. Once approved no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

5. Prior to completion of the three-storey side extension hereby approved, the bank to the front of the dwelling shall be reinstated in accordance with approved Proposed Site Plan DP-PA-08 REV D and shall be maintained in perpetuity.

Reason: In the interest of the character and appearance of the conservation area.

6. Prior to its construction, the details of the new retaining wall shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and maintained in perpetuity.

Reason: In the interest of the character and appearance of the conservation area.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

Offering a pre application advice service

Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application

Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

Officer's Report

Site description.

The application site is located within the Guildford Urban Area, Corridor of the River Wey and Millmead and Portsmouth Road Conservation Area. There are Grade II Listed Buildings and wall in the vicinity of the site.

The application property is a three-storey end-of-terrace dwelling located within a cul-de-sac of similar flat roofed properties with integral garages, driveways and rear gardens.

There is a TPO tree in the rear garden.

Proposal.

Side extension, rear porch, and garden steps.

Relevant planning history.

None relevant.

Consultations.

Statutory consultees

County Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

Amenity groups/Residents associations

Guildford Society: Raise an objection.

- out-of-character with the Conservation Area and listed buildings
- loss of four trees, one of which has a tree preservation order
- the rear porch would adversely affect the architectural pattern of the rear elevation of the whole terrace
- the site is already developed to a sufficiently high density for the area

Third party comments:

13 letters of representation have been received raising the following objections and concerns:

- over-development of the site
- harm to the character of the Devon Bank, conservation area and listed buildings
- removal and reduction of the bank, its reinstatement is not guaranteed [Officer Note: This is being secured by way of a suitably worded planning condition.]
- traffic flow issues

- increased risk of flooding
- scale of groundworks involved, lack of structural engineer's report and risk of subsidence [Officer Note: This is not a planning matter but a building control matter.]
- potential damage to other properties [Officer Note: This is not a planning matter but a civil matter.]
- loss of a view [Officer Note: This is not a material planning consideration.]
- stress and anxiety [Officer Note: This is not a material planning consideration.]
- over-development together with the second recently lodged application in Devon Bank 20/P/0818 4A Devon Bank [Officer Note: Each application is considered on its own merits.]
- noise nuisance and disturbance
- vague and unclear proposal

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 12. Achieving well-designed places

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Chapter 16. Conserving and enhancing the historic environment

Guildford Borough Local Plan: Strategy and Sites 2015-2034

The Guildford borough Local Plan: strategy and sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan.

Policy D1: Place Shaping

Policy D3: Historic Environment

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1 General Standards of Development

G5 Design Code

H8 Extensions to Dwellings in Urban Areas

HE7 New Development in Conservation Areas

Supplementary planning documents:

Residential Extensions and Alterations SPD 2018

Planning considerations.

The main planning considerations in this case are:

- the impact on the designated heritage assets and the scale and character of the existing dwelling
- the impact on neighbouring amenity
- the impact on trees
- other matters

The impact on the designated heritage assets and the scale and character of the existing dwelling

Statutory provisions:

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 193 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. the NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 195-199 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The application site is located within the Millmead and Portsmouth Road Conservation Area. There are also Grade II Listed Buildings and wall in the vicinity of the site, such as St. Catherines School, upper and lower retaining walls and fountain and the Norman Shaw buildings, all situated to the north of the application site.

The application property is a three-storey end-of-terrace dwelling located within a cul-de-sac of similar flat roofed properties with integral garages, driveways and rear gardens. The immediately surrounding area is characterised by a mix of building sizes, designs and types. There are also varying separation distances from the Portsmouth Road and between the buildings. The development at Devon Bank reads on its own given that the properties are set down from and do not front Portsmouth Road, have block like form and flat roofs. As such, it is concluded that there is no defined building line along this section of Portsmouth Road. Therefore, extending the property closer to Portsmouth Road is not considered to harm the character of the Millmead and Portsmouth Road Conservation Area.

Given that the proposed three storey side extension would match the scale of the existing dwelling in terms of height, depth and width, it would not appear subservient to the host dwelling. Instead, it aims to provide visual continuity of this row of terraced properties. The Conservation Officer has assessed the proposal and advised that, given the particular design of these terraced properties, the best approach to extend the property would be to replicate the prevailing form as proposed rather than add a subordinate extension to retain the same rhythm and for the extension to not appear unduly prominent. In line with the Conservation Officer's advice provided at pre-application stage, the scheme has been amended to better respect the fenestration pattern and arrangement of the existing terrace with the garage section replicated with a large glazed window of garage opening proportions.

The proposed porch extension would be minor in scale and would appear subservient to the host dwelling. Whilst it would feature a flat roof, it would not be out-of-character with the flat roofed properties in Devon Bank, would be concealed by a parapet and would not appear unduly prominent within the conservation area due to the difference in ground levels.

The new steps to the garden area and glazed balustrade would be minor in scale and are not considered to harm the character of the host dwelling or the conservation area. It is considered necessary to secure the submission of the details of the new retaining wall to ensure that it does not result in harm to the designated heritage assets.

The initially submitted scheme proposed the removal of about 25% of the existing bank to the front of the application dwelling. During the course of the application, amendments have been secured to the proposal and it is now proposed to remove only about 10% of the existing bank. Such a minimal reduction in the size of the bank is not considered to harm the character of Devon Bank or the Millmead and Portsmouth Road Conservation Area.

It has been advised that in order to allow sufficient access to the rear garden to undertake the proposed ground works a temporary removal of 1m depth of the bank behind the new retaining wall would be required. Then the bank would be reinstated behind the new retaining wall. To ensure it's fully reinstated as shown on Proposed Site Plan DP-PA-08 REV D, it is considered appropriate to secure this by a planning condition.

Given the sufficient separation distances and the acceptable scale and design of the proposed development, it is not considered to result in detrimental impact on the setting of the listed buildings or the special character of the River Wey and the Guildford and Godalming Navigations.

No material harm to the designated heritage asset has been identified and having due regard to Section(s) 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990 permission should be granted.

The impact on neighbouring amenity

The neighbouring property most affected is No.13 Devon Bank, the adjoining neighbouring property situated to the east of the application site.

The proposed side extension would be fully concealed by the existing built form on the application site and, as such, is not considered to result in detrimental impact on residential amenities of this neighbouring property.

Given the minor scale of the porch, it is not considered to result in loss of light or overbearing impact on this neighbouring property.

There are no new upper-floor windows proposed facing the neighbouring property, as such, no loss of privacy concerns are raised in this instance.

Should any nuisance occur during the construction of the development, there is environmental legislation in place to protect the occupants of the neighbouring properties.

The impact on trees

The proposed development would require the felling of 4 garden trees: a Rowan, Palm, Apple, and Purple Plum. Their removal has already been secured and granted under tree application 20/T/00021.

The rear garden trees, including the TPO tree, would be retained.

The Council's Tree Officer has assessed the proposal and the submitted documentation and raised no objection to the proposed development subject to an arboricultural method statement and tree protection plan being secured by way of a planning condition to ensure that the Yew tree and Sycamore (TPO) tree are adequately protected during the construction of the development.

Other matters

Only about 10% of the existing bank would be removed and, such a minimal removal of the bank is not considered to exacerbate any existing water runoff issues to such a degree that would warrant refusal on these grounds.

Conclusion

The proposal would not result in detrimental impact on the character of the conservation area, the setting of the listed buildings, the special character of the River Wey and the Guildford and Godalming Navigations, residential amenities of the neighbouring properties or trees. For these reasons, the application is acceptable and is therefore recommended for approval.