

Planning Committee

20 May 2021

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

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1.	<p>Mr Tahir Mahmood 36 Underwood Avenue, Ash, Aldershot, GU12 6PP</p> <p>20/P/01315 – The development proposed is described as a rear ground floor 6.00 metre extension with side habitable space and addition of a door from front to side passage giving access to rear garden.</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 living conditions of the occupiers of No 34 Underwood Avenue, having regard to outlook and daylight, and on the living conditions of the occupiers of No.38 Underwood Avenue, having regard to outlook.• Viewed from the road, the appeal property forms the left-hand half of a pair of two-storey, linked semi-detached houses. These houses are typical of the residential development in the surrounding area and include ground floor habitable room windows and doors facing towards reasonably long and wide rear gardens.• The proposed development includes a flat roof single storey rear extension. It would be 3m high, 7.4m wide and 6m in depth.• On one side it would be positioned next to the rear garden boundary fence with No.34 with a 0.1m gap and the other side there would be a 1m gap to the rear garden boundary fence with No.38. Both of these timber close boarded boundary fences are about 1.8m high.• A majority of the vertical side elevation of the rear extension would be screened by the boundary fence. However, a significant part would nonetheless project a substantial distance in height above the fence by 1.2m and would maintain this height for a substantial distance of 6m very close next to and along this boundary.• The scale and massing of this part of the extension would therefore be overly dominant and overbearing and as a result unduly restrict views out of and light into this habitable room via this door and these windows.• The extension would harm the living conditions of the occupiers of No.34, having regard to outlook and daylight. I give substantial weight to this harm. It would not harm the living conditions of the occupiers of No.38, having regard to outlook.• Consequently, the proposed development would not accord with saved policies G1 and G5 of the Guildford Borough Local Plan, January 2003 or with Policy D1 of the Guildford Borough Local Plan: strategy and sites, April	DISMISSED
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	<p>2019. These policies include that the scale and height of development should protect the amenity of occupants of buildings, including in terms of daylight, and achieve high quality design to promote healthy living.</p> <ul style="list-style-type: none"> • It would conflict with the Council's Residential Extensions and Alterations supplementary planning document, 2018 (SPD) as well as paragraphs 117 and 127 of the National Planning Policy Framework. • The appeal therefore does not succeed. 	
2.	<p>St Patrick's (Potter Lane) Limited 90 Potters Lane, Send, Woking, GU23 7AL</p> <p>20/P/01248 – The development proposed is demolition of existing dwelling and erection of 3 dwellings with associated vehicular and pedestrian access and parking.</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. • Potters Lane is characterised by a linear form of development with many detached dwellings fronting the lane with long rear gardens. At the rear of the frontage development there are occasional dwellings, accessed by private drives from Potters Lane. • These dwellings are generally larger than those fronting the lane and are situated in much more spacious grounds. Their gardens, together with small lakes and paddocks run down to the River Wey. • Policy G11 of the Guildford Borough Local Plan 2003 seeks to protect and improve the special character of the corridor of the River Wey, including views both within and from the corridor which contribute to this special character. • The two houses proposed on the rear part of the appeal site would be on smaller and narrower plots than those others that make up the scattered development to the rear of Potters Lane. • Given the size of the buildings and the limited spacing between them, this layout would appear cramped and out of character with the more spacious, open settings of the other dwellings. • While the buildings themselves would stand outside the corridor of the River Wey as shown on the Local Plan Policies Map, their upper storeys and roofs would be visible in views from the River Wey and nearby public footpaths. • I reach that view notwithstanding the changes that have been made from a previous unsuccessful scheme on the site. The reduction in size and height of the proposed dwellings do not, in my view, overcome the cramped nature of the development when compared to the layout and spacing of the scattered dwellings to which they would relate. • The replacement dwelling at the front of the site would conform with the general size and design of the other dwellings fronting Potters Lane. I also consider that the revised design of the private drive has overcome the concerns expressed on the previous scheme by increasing the space at the side of the replacement house. In this revised form, the access and driveway would be similar in many respects to other private drives serving dwellings behind Potters Lane and would not have a harmful effect on the street scene. • The site is not large enough to create its own identity in the sense proposed 	DISMISSED

	<p>by paragraph 5 of Policy D1 of the current Local Plan. I conclude that the proposed development on the rear part of the site would fail to achieve those aims as a result would harm the character and appearance of the area.</p> <ul style="list-style-type: none">• The proposal would consequently conflict with policies G5 and G11 of the Guildford Borough Local Plan 2003, policy D1 of the current Local Plan and policy Send 1 of the emerging Neighbourhood Development Plan which seek to reflect the distinct local character.• The provision of a net additional two dwellings is of modest benefit in helping to meet housing demand. However, this is outweighed by the harm to the character and appearance of the area. The development would therefore conflict with the development plan when taken as a whole. There are no other material considerations which outweigh the conflict with the development plan.	
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