

Planning Committee

2 February 2022

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 (sophie.butcher@guildford.gov.uk)

1.	<p>Alex Jordan (Round Tree Developments Ltd) Round Tree Farm, The Street, West Horsley, KT24 6HW</p> <p>20/P/02122 – The development proposed is for the conversion of three agricultural barns to form a detached dwelling and an associated garage.</p> <p>Delegated Decision: non-determination</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none">• The main issues are whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt), and if inappropriate development, the effect of the proposal on the openness of the Green Belt, and whether any harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development,• sustainability, and;• the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA).• The appeal site is located in the Green Belt and the 400m to 5km zone of the SPA near to the settlement of West Horsley. The immediate built environment is typified by loose-knit development bordered by agricultural type fields that is strung along the main road known as 'The Street'. The site is accessed via a short turning near to the junction with 'Long Reach' which leads to a farm courtyard type area that is flanked by a number of modest dwellings and a range of agricultural and livestock barns.• The proposal is to convert the three agricultural barns and the single-storey building into a 3 bedroom residential dwelling with a garage and a garden.• It has been brought to my attention that there are two prior approval schemes¹ adjacent to the appeal site and that there is an extant permission for the conversion of the barns into a single dwelling.² These are noted. However, I have limited details of the prior approval schemes before me, and the extant permission is for a scheme of a different scale altogether to the proposed development and does not include the portal frame building. Therefore, as is correct I have considered the proposal on its own planning merits.	DISMISSED
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- Whereas, the portal frame building, which is an essential component of the proposal, has a more contemporary open-steel framework with a relatively light-weight corrugated metal roof and a rough unmade floor. As such, whether the proposed development would retain the architectural form and appearance of the buildings or not, to wholly convert the combined barns into a residential dwelling would require extensive construction works to the portal structure. Therefore, in the planning judgement, I conclude that the requirements for an exception included in Paragraph 50(d) of the Framework have not been met. It follows then that the development would be inappropriate development in the Green Belt.
- Given the timber-frame barn and store have stood on the site for many years, I acknowledge that the loss of openness that would be directly attributable to these sections of the proposal would not be great in itself. However, the portal structure would be transformed from a simple open-sided agricultural type barn into a solid and enclosed building with timber clad elevations and urban style fenestration. Indeed, the resultant dwelling would be substantially larger than the existing buildings. Therefore, in comparison to the existing open-sided building, this section of the proposal would have a stark and abrupt visual impact on the Green Belt, particularly when viewed from 'Long Reach' and the surrounding fields. Furthermore, the single-storey building would be extended to one side to form a garage, and hence be of some bulk and mass in comparison to the existing building.
- Consequently, when considered as a whole, I conclude that the proposal is inappropriate development that would materially harm the openness of the Green Belt.
- I have found that the proposal is inappropriate development that would erode the essential characteristics of the openness of the Green Belt. Furthermore, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate that very special circumstances exist.
- Accordingly, the proposal does not meet the requirements of Policy P2 of the Guildford Borough Local Plan strategy and sites 2019 (GBLP), which says, amongst other things, that Green Belt will continue to be protected against inappropriate development in accordance with the Framework.
- For similar reasons, the proposal is contrary to Paragraph 147 of the Framework which says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- The Council contend that the details of sustainable design and construction practice related to the proposal are less than ideal. Nonetheless the appellant forwards in the submitted statement of case that the re-use of the buildings would have environmental benefits including the use of renewable and sustainable technologies. I also acknowledge the relative proximity of the proposal to the village of West Horsley. However, from the minimal evidence before me, I cannot be certain if the proposal would achieve aims such as, but not limited to, the reduction of carbon emissions, and the requirements of Policy D2 of the GBLP, or that these requirements could met through the imposition of a condition(s).
- I conclude therefore, that the proposal would not meet the aims of Policy D2 (1 & 3) of the GBLP, which requires that conversion and

	<p>extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated, and the Framework when read as a whole.</p> <ul style="list-style-type: none"> • The appeal site is located in the SPA and is therefore, subject to the Habitat Regulations which protect the SPA. If I had come to a different conclusion, it would have been necessary for me as a competent authority to undertake an 'Appropriate Assessment' and give further consideration to the likely effectiveness of any mitigation measures, including the appellants recently submitted Unilateral Undertaking. However, as I have found against the appellant on the main issues, and therefore planning permission is to be refused, this matter need not be considered any further in this case. • For the reasons given above I conclude that the appeal should be dismissed. 	
<p>2.</p>	<p>Mr Mark Brown (Brofam 2 Ltd) 37 Beechgrove Guildford, GU2 7UZ</p> <p>21/W/00010 – The development proposed is described as the erection of a single storey rear extension which would extend beyond the rear wall of the original dwelling house by 6m, with a maximum height of 4m at the highest point and a maximum height of 3m at eaves. The extension to be built with materials consistent with, and or to match, the existing dwelling house.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issue is whether the proposed extension meets the requirements of Class A, having regard to the information provided with the application. • The appeal property is a semi-detached house with a detached garage in the rear garden, on one side. In order to benefit from permitted development rights, the proposed extension must meet the requirements set out in paragraph A.4(2) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO). • There is no dispute that the information required by paragraph A.4(2)(c)(d) and (e) was provided. The application form included a written description of the proposed development and dimensions sufficient to comply with the requirements set out in A.4(2)(a)(i),(ii)(iii) and (iv). Paragraph A.4(2)(b) requires the provision of a plan. Although not to scale, the submitted plan includes a scale bar and shows the site and the development adequately. • However, the plan also shows that an extension of the size proposed could not be constructed without overlapping, and having an effect on, the existing garage. The appellant suggests that it would be demolished or moved. Nonetheless, there is no plan to indicate precisely how the garage would be altered. Without clear plans, either the proposed extension could not be built, as the garage is in the way, or it would be joined onto the garage. This would have implications for the overall size of the extension and how it should be assessed against the requirements of the GPDO, including paragraph A.1(g)(i). Moreover, in these circumstances it would not, therefore, be 	<p>DISMISSED</p>

	<p>appropriate to impose a condition to secure any changes to the garage that would be necessary in order to permit the extension.</p> <ul style="list-style-type: none"> • Consequently, with regard to paragraph A.4(3)(b), there is insufficient information to establish that the proposed development would comply with the provisions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g). • For the reasons given above, I therefore conclude that the appeal should not succeed. 	
<p>3.</p>	<p>Mr J Wood Shepherds Hill, Broadfield Road, Peaslake GU5 9TB</p> <p>21/P/00282 – The application sought planning permission for the erection of a detached two storey five bedroom house with basement and integral double garage (part retrospective application) without complying with a condition attached to planning permission Ref 16/P/01356, dated 18 August 2016.</p> <p>The condition in dispute is No 2 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D, E shall be carried out on the dwellinghouse(s) hereby permitted or within their curtilage.</p> <p>The reason given for the condition is: The local planning authority wishes to retain control over any future extensions / outbuildings at the property, in order to safeguard the character of the area.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • Planning permission was previously granted (Ref: 16/P/01356) at the appeal site for the erection of a detached 2-storey 5 bedroom house with a basement and an integral double garage. That permission included a condition restricting permitted development rights in relation to Schedule 2, Part 1, Classes A, B, C, D, and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPD0). The appellant seeks to remove the reference to Class E in that condition (retaining the reference to Classes A, B, C and D). • The Council’s decision notice states that the reinstatement of permitted development rights would allow uncontrolled development to take place within the Green Belt, resulting in the incremental erosion of the openness of the Green Belt and would be contrary to the purpose of including land within the Green Belt. The main issue in this appeal therefore is whether the reference to Class E in the disputed condition is reasonable and necessary in the interests of protecting the openness of the Green Belt and the purposes of including land within the Green Belt. • The appeal site contains a large detached house set within an expansive plot. The driveway and garden is enveloped by a substantial area of natural meadow on 2 sides, beyond which lie open fields. Due 	<p>DISMISSED</p>

to the sloping nature of parts of the site, the house and the meadow is positioned in a prominent position in the landscape. The site is within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV).

- The house on site has been described as a 'substantial replacement dwelling' by the Council, and this has not been disputed by the appellant. The Officer's Report for the planning application for the house stated that it would be approximately 49% larger than the previous dwelling on site. As such, the openness of the Green Belt has been materially reduced by its erection, albeit to a degree previously found acceptable by the Council.
- Thus, taking account of both the PPG and paragraphs 54 and 56 of the Framework, I therefore find that the reference to Class E in the disputed condition is reasonable and necessary in the interests of protecting the openness of the Green Belt and the purpose of including land within the Green Belt. Consequently, the proposal to remove Class E from condition 2 is contrary to Policy P2 of the Guildford borough Local Plan strategy and sites 2015 – 2034 (adopted 2019), which provides that, amongst other things, the Metropolitan Green Belt will continue to be protected against inappropriate development in accordance with the Framework, and with the provisions of section 13 of the Framework, which seeks to protect the Green Belt against inappropriate development and to maintain its openness.
- For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.
- **COSTS**
- Mr J Wood against Guildford Borough Council
- The Council did not refer to the PPG in their Officer's Report for application Ref 21/P/00282. The appellant has also referred to a lack of reasoning in the Officer's Report for Ref 16/P/01356, with respect to the justification for the inclusion of Class E1 in the disputed condition.
- Both issues relate to periods during the determination of the planning applications 16/P/01356 and 21/P/00282. The PPG states that costs cannot be claimed for the period during the determination of the planning application and can only be claimed for unnecessary or wasted expense at the appeal.
- In my appeal decision I have considered the PPG and the National Planning Policy Framework (the Framework) and I have agreed with the Council that the reference to Class E in the disputed condition is reasonable and necessary. The Council's Officer's Report for the latter application considered the Framework and the '6 tests' and concludes that the condition meets the tests. As such, whilst the Council may have usefully referred to the PPG within their 21/P/00282 report and provided more justification for 16/P/01356, I do not consider that this has resulted in unnecessary or wasted expense in the appeal process.
- I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Accordingly, I determine that the costs application should fail, and no award is made.

REFUSED

4.	<p>Mr Richard Barter (Millgate Developments Ltd) Land at Church Street, Effingham, Leatherhead, KT24 5NA</p> <p>19/P/01726 – The development proposed is for the erection of 17 No dwellings, plus access, parking and landscaping.</p> <p>Officer Recommendation: To Approve Planning Committee: 3 February 2021 Committee 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 preserve or enhance the character or appearance of the Effingham Conservation Area and the setting of the surrounding listed buildings, housing mix, and; planning obligations. • The appeal site is located within the Effingham Conservation Area (CA) and is a grass covered field that is accessed via rising turning head on the eastern side of Church Street near to the junction with Lower Road. The site is lined by hedging and trees and slopes up to meet with the walled graveyard attached to the Grade II* listed St Lawrence’s Church (the Church) and is bounded on the other sides by loose-knit residential development, including the Grade II listed building known as ‘The Lodge’. • The proposal would see the erection of 17 dwellings comprising 12 houses and 5 flats, with gardens, landscaping and parking that would be constructed in traditional style materials. There would be a new access that would lead onto a service road, and an extension to the Church graveyard would be formed to the south-west corner of the appeal site. • Policy ENP-SA1 of the adopted Effingham Neighbourhood Plan 2018 (NP) recognises that some form of development and change would occur at this location although limits the site to the small scale development of 9 dwellings. However, the more recent policies contained within the later Guildford Borough Local Plan: strategy and sites 2019 (GLP 2019) has resulted in the site having been removed from the Green Belt. The appellants argue that the effect of such removal means that the previous limitation of the number of units set out in the NP should no longer apply. Although policies in a later Development Plan would ordinarily prevail, in this instance, I am cognizant of the location of the site within the designated CA and have undertaken my assessment with the CA’s characteristics and significance in mind. • The special character and significance of the CA is derived from bespoke dwellings of different sizes and types with relatively simple elevations that are set next to the unlit highway on irregular plots which do not have a consistent built line or rhythm. The properties have proportionate garden spaces, some of which border the main highway at a right angle. Together the dwellings form an attractive traditional grouping within the CA, that is softened by some relatively ‘open’ spaces such as the appeal site and the nearby graveyard. • while the submitted drawings show that 17 dwellings would be possible on the appeal site, the space around the proposed dwellings would be relatively tight and disproportionate to the overall scale of the building plots. Indeed, although the gardens separate the proposed dwellings from the appeal site boundary and the retained ‘tree-belt’, they would 	DISMISSED
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fail to provide spatial relief in an otherwise compressed urban type grain of what is proposed that also includes a number of side parking spaces and parking barns. The garden spaces to the front of the new dwellings and the addition of more 'open' space would not be adequate mitigation. Therefore, the proposal would contrast unacceptably with the proportionate garden plots of the dwellings seen along Church Street.

- I noted that the appeal site is lined by trees and hedges. However, notwithstanding the addition of an extended burial ground, the proposal would be in close proximity to the Church and would erode the spaciousness provided by the appeal site. Therefore, it is likely that the scale and mass of development would be seen from the raised churchyard as a minimum at less leafy times of the year and detract from the prevailing character and appearance of the CA. Overall, I find that the proposal would fail to preserve or enhance the character and appearance of the CA.
- the proposal does not meet the aims of Policies ENP-SA1 and ENP-G2 of the NP, Policies D1 and D3 of the GLP 2019, and Policies, G5, HE4, HE6, HE7 and HE10 of the saved Guildford Borough Local Plan 2003 (GLP 2003) which say, amongst other things, that new development should preserve or enhance the character or appearance of the conservation area, and that planning permission will not be granted for development that adversely affects the setting of a listed building by virtue of design, proximity or impact on significant views, and the relevant parts of Chapters 12 and 16 of the Framework.
- I have found that the proposed development would fail to preserve or enhance the character and appearance of the CA. It would also have a harmful effect on the significance and setting of the nearby listed Church. In accordance with Paragraph 202 of the Framework, I am required to assess the extent of such harm. In the context of both the CA and listed buildings, I find that the harm would be less than substantial, although I would agree with the Council that this would be in the upper end of such harms. These are to be balanced against the public benefits arising from the proposal and I will return to this later in my decision.
- I conclude therefore, that the proposal is contrary to ENP-H2 of the NP and Policy H1 of the GLP 2019, which says that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest SHMA. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, and the Framework when read as a whole.
- Whilst I have found in favour of the appellant on the third main issue, this does not justify the harm identified in the first and second main issues. The proposed development would conflict with the adopted development plan in these respects and there are no material considerations indicating a decision otherwise than in accordance with it.
- For the reasons given above I conclude that the appeal should be dismissed.

<p>5.</p>	<p>Mr and Mrs Garthwaite 7 Austen Road, Guildford, GU1 3NW</p> <p>20/P/01412 –The development proposed is extensions to existing dwelling including a two storey side extension, a single storey rear extension, alterations to the on-site parking and replacement windows; all together with minor internal alterations.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is whether the proposal preserves or enhances the character or appearance of the Waterden Road Conservation Area. • The appeal site is a detached house in the Waterden Road Conservation Area and therefore I have had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected in Local Plan (2019)1 Policy D3, Local Plan (2003)2 Policy HE7 and the National Planning Policy Framework3. • The house is on four floors and at the time of my site visit the dwelling was vacant and work was underway for its refurbishment. Of the elements proposed, the reason for refusal refers only to the proposed roof arrangement. The proposal would alter or add accommodation on all four floors but most noticeable from the street would be the extension of the second floor which would result in alterations to the appearance of the roof. In terms of the effect of the proposed works on the Conservation Area, I agree with the Council that that this element would have the most significant impact on the character and appearance of the Conservation Area. • The existing roof arrangement is part of the character of the existing house with its pitched design set behind a parapet. The roof is not the principal feature of the house but blends in simply and proportionally with the more ornate front facade and tall chimneys. The proposal would detract from this by creating a more noticeable feature at roof level. This would appear contrived and incongruous and detract from the overall character and appearance of the house. • I note that there are other designs of houses in the area and the immediate neighbour is quite different in design and in particular, has a much more prominent roof, as do others in the area. However, I consider that the appeal site makes an important contribution to the character and appearance of the area and therefore alterations, particularly those most visible in the street scene, require a greater sensitivity than the proposal offers. • I have considered all matters raised but none alter my conclusion. I conclude that the proposal would not preserve or enhance the character or appearance of the Waterden Road Conservation Area. It would conflict with Policies D3 and HE7 and the Framework and therefore the appeal fails. 	<p>DISMISSED</p>
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<p>6.</p>	<p>Mr & Mrs Porter 81 Saffron Platt, Guildford, Surrey, GU2 9XY</p> <p>21/P/01396 – The development proposed is proposed single storey rear and side extension following demolition of existing rear extension.</p> <p>Delegated Decision: To Refuse</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposed dormer and rear extension on the character and appearance of the area. • The appeal site is a semi-detached bungalow and the dormer window would introduce a new feature into the front roof slope. It would be set back from the eaves but its pitched roof would extend up to the height of the ridge of the main roof. Given that this is a semi-detached property, the dormer would be prominent and out of keeping with the style and appearance of the pair of bungalows. Dormer windows are not a common feature on the front of properties in the area thereby making this one particularly prominent and uncharacteristic. I therefore consider that this aspect of the proposal would be harmful to the character and appearance of the area. • The rear extension would involve the demolition of an existing extension which due to the land levels is elevated above the level of the rear garden. Whilst the proposed extension would extend a short distance beyond the rear wall of the existing extension it would be noticeably wider. It would be set back from the shared boundary with the attached bungalow but would extend further out to the other side of the existing dwelling. This added width and the design of the roof would give the appearance of a poorly contrived addition to the rear of the house. It would fail to respect the form, scale or character of the existing bungalow. • Local Plan (2019)¹ Policy D1 requires all new development to be of a high quality of design that responds to local character. Local Plan (2003)² Policy G5 sets out design requirements for new development. The Council's SPD³ also sets out design principles which seek to ensure that house extensions and alterations are appropriate to the character and appearance of the existing property and the existing street scene around the property. The SPD also advises more specifically on rear extensions and dormer windows. The National Planning Policy Framework⁴ and the National Design Guide⁵ also cites the importance of good design. • I find that the dormer window would introduce an element into the front elevation of the house that would be prominent and out of keeping with the design and character of the bungalow. It would therefore conflict with policies D1, G5 and the advice in the SPD. I appreciate that the main impact of the rear extension would be to the rear of the property but the appearance of the bungalow contributes to the overall character and appearance of the area. The scale and design of the rear extension would fail to respect or make a positive contribution to the existing property which in turn impacts on the area generally. • I have considered all matters raised but none alter my conclusion. I conclude that the proposed dormer and rear extension would have a harmful effect on the character and appearance of the area and conflict with the policies referred to above. The appeal therefore fails. 	<p>DISMISSED</p>
<p>7.</p>	<p>Charlotte & Hamilton Pfister & Chapman</p>	

77 Pewley Way, Guildford GU1 3QB

21/P/00510 - The development proposed is construction of two storey side extension with integral garage, following demolition of existing garage, single storey rear extension providing enlarged kitchen area, window bay to the front elevation and new porch over altered entrance. Proposed works to also include changes to the appearance of the elevations with new windows and doors, tile hanging and complete render of the dwelling.

DISMISSED

Delegated Decision: To Refuse

- I consider that the main issues are the effect of the proposal on (1) the character and appearance of the area; and (2) the living conditions of the occupiers of the neighbouring property, 79 Pewley Way.
- The appeal site is a detached house on the corner of Pewley Way and Addison Road set in a triangular shaped plot extending along Addison Road. Whilst its address is Pewley Way, the front door is actually on Addison Road along with a driveway and garage. The house has previously been extended.
- The proposal would involve a fairly extensive refurbishment and new build including a two storey side extension on its northern end. This would replace a single storey attached garage. Previous extensions have elongated the appearance of the house and although a single storey element would be removed, its replacement with the proposed two storey extension would emphasise the linear appearance of the house and its prominence on this corner location.
- In terms of the street scene, I find no harm from the other works proposed for the house as there is a mix of detailing to housing in the area and tile hangings and render in particular are not unusual. The proposal overall would include extensive alterations to the appearance of the house but the side extension in particular would not reflect the style or design of the existing house but would appear at odds to its general character and appearance. The dormer window and the half hipped roof emphasise this.
- Local Plan (2019)1 Policy D1 requires all new development to be of a high quality of design that responds to local character. Local Plan (2003)2 Policy G5 sets out design requirements for new development and Policy H8 sets out criteria for extensions to dwellings in urban areas. The Council's SPD3 also sets out design principles which seek to ensure that house extensions and alterations are appropriate to the character and appearance of the existing property and the existing street scene around the property. The National Planning Policy Framework4 also cites the importance of good design.
- I consider that the proposal would conflict with these policies with regard to this issue and therefore find that the proposal would have a harmful effect on the character and appearance of the area.
- The appeal site, No 77 is almost at right angles to its neighbour, No 79 and the proposal would include a first floor terrace/balcony as well as a Juliette balcony to the master bedroom. The roof terrace/balcony in particular would provide elevated outdoor amenity space from which it would be possible to look towards the rear of No 79. I note that there is already some overlooking from upper floor windows and from an informal roof area accessed from a first floor bedroom. The latter would have limited use due to its lack of railings but a purpose built

	<p>terrace/balcony would create a more permanent useable area from which to overlook No 79. I noted on my site visit that there was substantial vegetation that provided some screening and any overlooking would be at an angle. Although this angle and the vegetation, should it remain, lessen any actual overlooking, the relationship between the two properties would at the very least create a perception of overlooking that would impact on the living conditions of the occupiers of No 79.</p> <ul style="list-style-type: none"> Local Plan (2003) Policy G1(3) seeks to protect the amenities of nearby occupiers from unneighbourly development in terms of privacy, amongst other things. This is reflected in the SPD. I consider that the outside terrace/balcony would impact on the neighbour's privacy in conflict with this policy and SPD. On this issue therefore I consider that the proposal would have a harmful effect on the living conditions of the occupiers of No 79. I have found that the proposal would be unacceptable in terms of its effect on the character and appearance of the area and on the living conditions of the occupiers of the neighbouring property. In particular, the two storey side extension and the creation of a terrace/balcony to the rear would be unacceptable. I have considered all matters raised but none alter my conclusion. I conclude that the proposal, and in particular the two storey side extension would have a harmful effect on the character and appearance of the area and the rear terrace / balcony would harm the living conditions of the occupiers of the neighbouring property, 79 Pewley Way. As such the proposal would conflict with Local Plan (2019) Policy D1 and Local Plan (2003) policies G5. H8 and G1(3), the Council SPD and the Framework. The appeal therefore fails. 	
<p>8.</p>	<p>Dr Bridget Jones 103 Poyle Road, Tongham GU10 1DY</p> <p>21/P/00765 - The development proposed is demolition of existing conservatory and erection of a two-storey side/rear extension / alterations to roof and new front dormer.</p> <p>Delegated Decision – To refuse</p> <ul style="list-style-type: none"> I consider that the main issue is the effect of the proposal on the character and appearance of the area. The appeal site is a detached dwelling that has been extensively extended. The rear of the dwelling in particular bears little resemblance to the more traditional style and character of the dwelling as it appears from Poyle Road. Previous additions appear somewhat disjointed and out of keeping with the form and character of what would have originally been a fairly traditional bungalow. The proposed two-storey element of the proposal would be to the rear but would add to the lack of cohesiveness in the appearance of No 103. It would be large, bulky and at odds with the character of the dwelling. The proposal would also alter the shape of the roof as seen from the road and add an additional dormer window. The Council does not seem to have raised any particular objection to these elements of the proposal but they do form part of the overall alterations proposed and so contribute to the total lack of respect to the style, proportions and 	<p>DISMISSED</p>

	<p>appearance of the dwelling and add to the confused and disjointed appearance of the house.</p> <ul style="list-style-type: none"> • Whilst I do not consider that the previous extensions have been particularly sympathetic to the original design of No 103, the proposal would do little to bring a cohesiveness back to the style of this property. The proposed alterations and extensions would contribute to the confused and disproportionate additions and alterations and conflict with the objectives of the policies referred to above. • I appreciate that the main impact of the proposal is to the rear of the property but the character of No 103 contributes to the overall character and appearance of the area and the effect of the proposal would fail to respect or make a positive contribution to the existing property which in turn impacts on the area generally. I note that the relatively new development to the east of the appeal site introduces dwellings of a different style and scale than those in the area generally but this does not justify the proposed alterations and extensions to this property. I have considered all other matters raised but none alter my conclusion. • I conclude that the proposal would have a harmful effect on the character and appearance of the area, it would conflict with the policies referred to above and therefore the appeal fails. 	
<p>9.</p>	<p>Mr J Andrews 87 Bushy Hill Drive, Guildford, Surrey, GU1 2UG</p> <p>21/P/01066 - The development proposed is proposed first floor rear extension.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • I consider that the main issue is the effect of the extension on the living conditions of the occupiers of the adjoining property, 89 Bushy Hill Drive. • The appeal site is a semi-detached house that has an existing single storey rear extension that is elevated above the level of the rear garden. The proposal would add accommodation above providing additional first floor living accommodation. The adjoining house has not been extended to the rear. • Local Plan (2003)1 Policy H8 sets out criteria for extensions to dwellings in urban areas and, amongst other things, supports extensions that do not have an unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to sunlight and daylight. The Council's SPD2 also sets out guidance to ensure that extensions do not have an adverse impact on neighbours' amenity. • The neighbouring house, No 89 lies to the north of the appeal site so it is likely that the existing extension causes some loss of light to the existing ground floor and outdoor amenity space. The existing extension has a flat roof but the proposal would add another floor with a pitched roof very close to the boundary with No 89. Whilst there is some question about whether the first floor windows to No 89 serve habitable rooms or not, the added height, close to the boundary would have an impact on No 89. From my observations it would seem that the upper floor windows of No 89 serve a bathroom and a landing and so the impact on them would not be as significant than if they were 	<p>DISMISSED</p>

	<p>bedrooms. This does not rule out my concern about the impact on the ground floor and the neighbours' amenity space.</p> <ul style="list-style-type: none"> • Given that the proposed extension would be for most of the width of the existing house and very close to the boundary, I consider it likely that any loss of light to the occupiers of the neighbouring house would be exacerbated. This would conflict with Policy H8 and the SPD. I also consider that the extension would appear quite overbearing when viewed from No 89. • I have considered all matters raised including the other policies referred to but none alter my conclusion. I conclude that the proposal would have a harmful effect on the living conditions of the occupiers on No 89, it would conflict with Policy H8 and the SPD and therefore the appeal fails. 	
<p>10.</p>	<p>Miss F Tufail 3 Malthouse Cottages, Goose Green, Gomshall, Guildford, GU5 9LW</p> <p>20/P/01572 - The works proposed are a single storey rear extension and internal alterations.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issue in this appeal is the effects of the works on the significance of the listed building. • The appeal relates to this mid-terrace property which forms one of 4 dwellings said to have originated in the 16th Century. The terrace is grade II listed. The terrace is formed by the timber-framed structure with exposed timber-work and white-washed render infill. No 3 is a modest dwelling with its 2 rooms on the ground floor and 2 at the first floor and a more recently added conservatory extension at the rear of the ground floor. • The proposal seeks to extend the rear conservatory and provide a new roof form over it and the existing conservatory. The internal alterations would result in the removal of the rear wall that currently separates the conservatory from the original dwelling. • The existing roof is a simple pitch, sloping down from the rear wall of the house. The proposal would add a modest additional length (of around 1.2m) to the conservatory and the new roof would be predominantly flat but the end section would be constructed as a short pitched element. I consider that the end pitched section of roof would appear truncated and awkward. It would contrast with the flat section of roof and would not appear as a coherent addition to the house but an extension with differing features which would contrast with the simple form of the original building, rather than harmonising with it. I noted the rear additions at Nos 1 and 4 within the terrace and these appear simpler and do not represent precedents for the proposal, in my judgement. • The existing wall which divides the main dwelling from the conservatory is likely to be the original rear wall of the building, or represents the location of it. It contains a solid timber door and a window. The appellant suggests that the pier between the door and the window may not be original but offers no evidence to substantiate this claim. The pier is of brickwork and there is some exposed timber-work above the window on the rear elevation. This rear wall represents the original outside wall of the building and it helps to retain the original compartmentalised division 	<p>DISMISSED</p>

	<p>of rooms, separating the original rear room from the conservatory addition.</p> <ul style="list-style-type: none"> • I consider that the removal of the door, window and pier would involve the likely loss of original fabric and it would result in the loss of the compartmentalised nature of the rooms on the ground floor, significantly blurring the distinction between the original room and the new addition. Combined with the unacceptable roof form, this would harm the significance of the listed building. I appreciate that these are parts of the building that are not seen from public vantage points but the proposal would still result in harm. • I consider that the level of harm that would arise from the proposal amounts to 'less than substantial' harm, as set out in the National Planning Policy Framework. The Framework states that great weight should be given to a historic asset's conservation, irrespective of the level of harm and that any harm should require clear and convincing justification. The appellant indicates that the existing conservatory has poorly detailed flashing and that the shallow pitch results in soiling of the roof. Whilst I acknowledge these points, and the fact that the proposal would result in improved accommodation for the appellant, these do not outweigh the harm that I have identified. • The proposal would fail to preserve the historic significance of this listed building and there are no public benefits that would outweigh the harm. The proposal is contrary to Policy D3 of the 'Guildford Borough Local Plan, Strategy and Sites' and there is nothing to outweigh that conflict. As a consequence, the appeal is dismissed. 	
<p>11.</p>	<p>Messrs D & C Beaghan & Taylor Inner Court, Pewley Hill, Guildford GU1 3SP</p> <p>20/P/00941 - The development was originally described as: 'a proposal to infill the Concrete Moat which sits around two sides of the house for safety and preservation reasons; attached document has full details of the proposal.'</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposal on the heritage asset, having regard to the requirements of local and national policy. • Based on the evidence before me, the appeal site is situated within an area of high archaeological importance. The moat has a clear association with Pewley Fort, a late 19th Century mobilisation centre that formed part of the London Defence Scheme devised in the 1880s. The Fort was one of a series of structures that were built across south and east London, and a number of these are now Scheduled Ancient Monuments. The evidence demonstrates that Pewley Fort has been acknowledged as being of national importance, but due to previous residential development, the site has been altered to such a degree that it is not worthy of being Scheduled. This includes much of the moat having already been infilled. • Due to its lack of specific protection or designation, using the terms of the National Planning Policy Framework (the Framework), the moat should be classified as a non-designated heritage asset. Much of the moat has already been infilled, most likely related to previous residential development, however, as identified above, the element that has been retained has demonstrable historic value. 	<p>DISMISSED</p>

<ul style="list-style-type: none">• The archaeological value of the site is clear, although the extent of its value is not entirely common ground between the parties. Despite this, due to its similarity to, and association with other sites in different locations which are Scheduled Ancient Monuments, I am satisfied that the approach identified in Footnote 68 is the appropriate way in which to assess the proposal.• On this basis, due to the nature of the proposal which would be reversible and would seek to demark the location of the moat, I agree with the Council that the proposal would cause less than substantial harm to the heritage asset. Consequently, Paragraph 202 of the Framework requires that this harm be weighed against the public benefits of the proposal.• Although the level of harm would be less than substantial, the works would be significant and intrusive. Accordingly, in my view, the level of harm would be at the higher end of the less than substantial harm scale. When giving great weight to the asset's conservation, I am entirely satisfied that this outweighs the public benefits that have been identified by the appellant.• Even if I found that the provisions of Footnote 68 were not applicable, Paragraph 203 of the Framework still requires a balanced judgement having regard to the scale of any harm or loss, and the significance of the non-designated heritage asset. On this basis, for the reasons identified above, I still find that the balance lies with the asset, rather than the proposal. This is because the works would be substantial and intrusive, and I only attach limited weight to the benefits that would be accrued. I arrive at these findings fully aware of the view of the County Archaeologist. However, based on the evidence before me, I am not entirely satisfied that due regard was had to the correct balancing requirements of the Framework in the comments received. This reduces the weight that I attach to their findings.• Consequently, for the reasons identified above, I conclude that the proposal would have a harmful effect on the heritage asset and that this harm would not be outweighed by public benefits. The proposal would therefore fail to accord with Policies D1 and D3 of the Guildford Borough Local Plan (2019), and Saved Policies G5(3) and G5(9) of the Guildford Borough Local Plan (2003), as well as the requirements of the Framework. Taken together, these seek amongst other things, proposals which conserve and enhance the historic environment in a manner appropriate to its significance.• The appeal should be dismissed.	
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