
Appeal Decision

Site visit made on 10 January 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th January 2017

Appeal Ref: APP/Y3615/W/16/3158528

1 Abbotswood, Guildford, Surrey GU1 1UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Myles Gilbert against the decision of Guildford Borough Council.
 - The application Ref 16/P/00147, dated 25 January 2016, was refused by notice dated 28 July 2016.
 - The development proposed is the division of a single dwelling into two separate dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the division of a single dwelling into two separate dwellings at 1 Abbotswood, Guildford, Surrey GU1 1UT in accordance with the terms of the application, Ref 16/P/00147, dated 25 January 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 1MGAW/PD1.1, 1MGAW/PD1.A, 1MGAW/PD1.2, 1MGAW/PD1.3, 1MGAW/PD1.4, 1MGAW/PD1.5, 1MGAW/PD1.6, 1MGAW/PD1.7A, 1MGAW/PD1.8, 1MGAW/PD1.9, 1MGAW/PD2.0, 1MGAW/PD2.1A; and landscape/boundary drawings AG/LP/1 & AG/LP/2.
 - 3) Notwithstanding the details of the rear boundary fence between the two new dwellings shown on drawing AGP/LP/1, the detailed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the two separate dwellings.
 - 4) The development hereby approved shall be carried out in accordance with the mitigation measures and recommendations detailed in the Preliminary Bat Roost Assessment dated 22 January 2016 Ref: SE15-082 by Simlaw Ecology received 26 January 2016 prior to the commencement of the development and in accordance with the approved timetable detailed in the ecological assessment.

Main Issue

2. The main issue is the effect of the proposed subdivision of the dwelling on the character and appearance of the area, and in particular whether it would harm
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the character and setting of this locally listed building and preserve or enhance the character or appearance of the Abbotswood Conservation Area.

Reasons

3. The appeal property, also known as The Gatehouse, is the nearest house to the entrance of the Abbotswood estate located just inside the pair of distinctive brick arches and curved screen walls at the junction with London Road. It is a large two storey house designed by the architect Alfred Claude Burlingham. It was one of the first dwellings constructed on this early twentieth century Garden Suburb and is typical of the original dwellings' Arts and Crafts architecture built between 1912 and 1926. For this reason it is locally listed. Abbotswood was designated a Conservation Area in 2011 as a fine example of such a Garden Suburb¹.
4. The plot of No 1 is wider than most plots on the estate but shorter in depth because another house (called Burwood) has been built in the rear part of its original back garden following permission in 2008², which is accessed directly off the London Road.
5. The proposal would not involve a new building so it would not result in a lessening of the gap between No 1 and the adjoining detached properties to the side and rear. The Council and objectors argue that no other properties in Abbotswood are subdivided and the size of the divided plots would be alien to the character of the estate.
6. But there are a number of existing plots on the estate that have plot widths that are narrower than the smallest plot that would result from the proposal and that are smaller in area, as highlighted by the appellant in his representations. Whilst the smallest plot created may be smaller than the existing plots in this particular part of the estate it would still be reasonably large and wide, and the dwelling created would still compare favourably in size with many other houses on the estate.
7. The Council argues that the new front door would erode the character of the dominant Arts and Crafts porch to the existing front door. I disagree; the new front door to the easterly dwelling would be a minor change to this elevation and have no effect on the existing porch, which would be retained in its current form.
8. It also considers that the additional hard and soft landscaping would not be in keeping with the existing pattern of development. However, the soft planting to be employed to divide the two plots on the frontage would be no different to much of the planting on other plots and would not detract from the estate's sylvan character. There would be no change to the existing front wall, railings and the current twin access points. Parking already takes place on the frontage.
9. The rear garden could be simply divided in a similar manner, albeit that I consider a close-boarded fence to be a rather clumsy way of doing so and a hedge or shrub screen would be more effective and in character with the area.

¹ Abbotswood Conservation Area Appraisal and Management Plan

² 08/P/01728

10. Other than these specific points the Council acknowledges that the external elevational changes to the property would be minimal and acceptable and I was able to verify during my visit that the proposed subdivision would not result in the loss of any of this locally listed building's main internal features.
11. For these reasons I conclude that the proposed subdivision of the property into two dwellings would not harm the character and appearance of the area or the locally listed building itself. It would preserve the character and appearance of the Abbotswood Conservation Area.
12. It would comply with 'saved' Policies H4, HE6, HE7 and G5 of the Guildford Borough Local Plan 2003, which together require development to be well designed and preserve the character and appearance of locally listed buildings and Conservation Areas. Policy H8 is irrelevant because it is concerned with extensions and no extension is proposed in this case. The development would also comply with the National Planning Policy Framework.

Other Matters

13. A signed S106 agreement dated 4 January 2017 has been submitted. This provides financial contributions which would successfully mitigate any adverse impact on the Thames Basin Heaths Special Protection Area (TBHSPA) in accordance with the methodology in the Council's TBHSPA Avoidance Strategy. The Council confirms these obligations would overcome its third refusal reason. I agree that such contributions are necessary to make the development acceptable in planning terms, directly related to it, and fairly related in scale and kind and would meet the requirements of the *Community Infrastructure Levy Regulations 2010*.

Conditions

14. A condition listing the approved drawings is necessary to provide certainty, but also an additional one pointing out that the precise details of the rear boundary treatment are reserved notwithstanding the details on plan AGP/LP/1, for the reason set out in paragraph 9 above. Another is required to ensure that the mitigation measures set out in the appellant's submitted Bat Roost Assessment are provided prior to development commencing in order to ensure bats are adequately protected.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Nick Fagan

INSPECTOR