
Appeal Decision

Site visit made on 10 April 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 27 April 2017

Appeal Ref: APP/Y3615/D/17/3167477
17 Warwick's Bench, Guildford GU1 3SZ

- 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 & Mrs Lazenby against the decision of Guildford Borough Council.
 - The application Ref 16/P/01785, dated 15 August 2016, was refused by notice dated 25 October 2016.
 - The development proposed is a proposed wall and entrance gate.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed wall and entrance gate at 17 Warwick's Bench, Guildford GU1 3SZ in accordance with the terms of the application, Ref 16/P/01785, dated 15 August 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 plans: 1306/OS-01; 1306/S-01; 1306/S-05; 1306/S-10; 1306/P-01; 1306/P-02; 1306/P-03 and 1306/P-04.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing house.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is located on Warwick's Bench, a residential street that rises steeply from Guildford town centre to the north. By reason of the topography, residential properties on either side of Warwick's Bench tend to be either set considerably above, or considerably below, road level. As a consequence, whilst the character of the houses and garden plots change noticeably as one travels along South Hill and Warwick's Bench, I noted that substantial roadside boundary and garage walls are a common feature. Although the walls vary in their construction materials between stone, brick and flint, and are topped with either retained ground, railings or shrubs and hedges, or a mix thereof, walls of
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varying heights and lengths are nonetheless a common theme along South Hill and Warwick's Bench, particularly on its eastern side where ground levels are generally set above road level.

4. The appeal site currently stands out as one of a small number of properties that deviate from the prevailing character and form of roadside boundary treatments, however. Instead, both it and its immediate neighbour to the south have metal railings along their roadside frontages; the latter with a neatly maintained hedge growing behind and through the railings, the appeal site less so, which is also punctuated by an electricity sub-station enclosed by a solid vertical timber panel fence.
5. However, despite this and although located on the inside of an otherwise blind bend in Warwick's Bench, the appeal site and its roadside boundary does not have a particularly prominent position within the street. Rather, approaching from the site from either a northerly or southerly direction, the eye is drawn instead to the extensive timber panelled fence that runs for a considerable distance along the western side of Warwick's Bench.
6. I acknowledge that there are examples of lower boundary walls with railings and hedges in the surrounding area. However, due to the steeply sloping nature of the street and those streets running off it, taller walls are not uncommon. Whilst the proposed brick wall would contrast with the existing open railings and hedge at the front of the appeal property, and with those at the adjacent property to the south, I find that the wall's overall form and height would not appear obtrusive or out of character in longer views from either direction.
7. In the context of the range of walls found along South Hill and Warwick's Bench, I do not find the proposal to be the incongruous feature that the Council have suggested. Thus, I conclude that the proposed development would not be an incongruous feature within the street scene, nor would it have a harmful effect on the character or appearance of the surrounding area. I therefore find no conflict with policies G5 or H8 of the Guildford Borough Local Plan (2003) or with the National Planning Policy Framework (the Framework) taken as a whole.

Other Matters

8. It has been suggested that because the proposed wall and entrance gate would be located on the inside of a blind corner it would present a potentially dangerous obstruction to traffic. However, the position of the driveway entrance would not be altered, and I note that the local Highways Authority did not comment on the proposal and highway safety grounds did not form part of the Council's reasons for refusal.
9. It has been further suggested that the proposal would set a precedent for other similar proposals and that it would exceed the permitted development height for walls on street boundaries. However, whilst concern has been expressed regarding the prospect of the proposal being repeated on the opposite side of the road resulting in the loss of views, I noted that there was already a substantial and lengthy timber panel fence in place. In any event, each application and appeal must be determined on its individual merits and a generalised concern of this nature does not justify withholding permission in this case.

Conditions

10. I have considered the Council's list of suggested conditions in light of the National Planning Policy Framework (the Framework) and Planning Practice Guidance. In addition to a time limit condition and a condition specifying the approved drawings, the latter of which I find to be necessary in order to provide certainty, a condition to ensure that the brickwork matches that of the main house is necessary in the interests of the character and appearance of the host property and the surrounding area.

Conclusion

11. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR