

Appeal Decision

Site visit made on 16 May 2017

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 16 June 2017

Appeal Ref: APP/Y3615/W/17/3167355

2 Woodbridge Hill, Guildford GU2 9AB

- 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 JCPC Developments Ltd against the decision of Guildford Borough Council.
 - The application Ref 16/P/01462, dated 8 July 2016, was refused by notice dated 16 August 2016.
 - The development proposed is demolition of outbuildings, side / rear extensions and conversion of property to create 5 no. one bedroom flats and associated development thereto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has indicated that amended plans were submitted prior to the determination of the application but that the Council did not consult on these amendments. The plans altered the roof design, provided additional amenity space, addressed issues of privacy and introduced a revised parking layout. However, the amended plans which I have been provided with are dated January 2017 and therefore, I have determined the appeal on the basis of the plans upon which the Council made its decision and on which the views of interested people were sought.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and the surrounding area;
 - whether the proposed development makes adequate parking provision;
 - whether the proposed development would provide acceptable living conditions for future occupiers with particular regard to privacy and noise and disturbance; and
 - whether the proposed development appropriately addresses nature conservation interests in the area, specifically in respect of the Thames Basin Heaths Special Protection Area (SPA).
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Reasons

Character and Appearance

4. The appeal property forms one of a pair of semi-detached residential properties on a corner plot where Woodbridge Hill to the west meets Manor Road to the north. The property is within a residential area and has a degree of prominence within the streetscape based on its corner position, opposite a public house and a high level pedestrian crossing.
5. It is proposed to demolish a number of outbuildings within the site and to create a two-storey side/rear extension with a loft conversion as part of a development to form five one-bedroom flats.
6. The proposed side extension would be set below the ridge line of the existing building and set back slightly from the front of the property. However, being wider than the original house it would add significant bulk to the property. Notwithstanding that a number of outbuildings adjoining the house are sizeable and would be demolished I find that the proposed extension would not appear to be subservient to the original house. Whilst the neighbouring property has a two storey extension that is more modest in scale and respects the proportions and character of the existing building. In contrast, whilst accepting that a mirrored development is not necessary, the proposal would significantly unbalance the pair of semi-detached properties. Additionally, to the rear the proposed development would be very visible in views down Manor Road and the bulk of the rear projecting gable would be particularly prominent.
7. The introduction of a two-storey extension with a pitched roof to the front and rear gable close to the side boundary in place of the existing single storey flat roof garage would dominate the plot to the extent of being overdevelopment. The amount of development proposed on the site would also result in very limited amenity space being provided for the proposed flats. The limited area available for parking on site is also indicative of over-development. Moreover, in contrast with other properties locally there would be very little space between the building and its boundaries.
8. I therefore find that the proposed development would be harmful to the character and appearance of the host property and surrounding area and would therefore fail to comply with Policies G5 and H4 of the Guildford Borough Local Plan, 2003 (the Local Plan) which require buildings to be of a scale and character which reflects the surrounding area. The proposals would also fail to address the requirements of section 7 of the National Planning Policy Framework (the Framework) in respect of good design.

Parking

9. Although the site is in an accessible location and there is some on-street parking available there is also significant local parking pressure. Five parking spaces are proposed to the rear of the property in accordance with the parking standards set out in the Vehicle Parking Standards Supplementary Planning Document (SPD), 2006. A turntable is proposed, allowing vehicles to enter and exit the site in forward gear. Three of the proposed parking spaces fail to meet the standard size of parking spaces and therefore it has not been demonstrated that the proposed development would provide satisfactory parking on-site leading to an increase in demand for on-street parking.

10. The appellant has indicated that the parking layout could be addressed through a planning condition to be attached to a planning permission to allow options for parking to be explored. Such a condition would not be appropriate as it would not meet the tests set out in paragraph 206 of the Framework. I therefore find that the proposal would be contrary to Policy G1 of the Local Plan which requires parking to be provided in accordance with the parking policies and parking standards of the plan and the Vehicle Parking Standards SPD.

Living Conditions

11. Two of the proposed parking spaces would be located between the proposed turntable and the rear of the property. These parking spaces would be within very close proximity to the property and in particular a bedroom at ground floor level. I consider that the effect of parking and the use of the turntable so close to the flats in the proposed development would give rise to unacceptable noise and disturbance which would adversely impact on the living conditions of residents of the proposed development.
12. Moreover, the location of the proposed extension in such close proximity to the eastern boundary would enable pedestrians to see into the ground floor flat closest to the road. This would particularly affect the lounge and bedroom windows. As a result I consider that there would be a loss of privacy to future occupiers of that flat. I therefore find that the proposal would be contrary to Policy G1 of the Local Plan which aims to avoid unneighbourly development in terms of privacy and noise and Policy H4 which seeks to avoid an unacceptable effect on the amenities enjoyed by the occupants of buildings in terms of privacy. The proposal would also be contrary to the Framework which advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of buildings.

Nature Conservation

13. The appellant confirmed a willingness to deliver the necessary measures to mitigate any impact of the proposed development upon the Thames Basin Heath SPA through an agreement under Section 106 of the Town and Country Planning Act 1990. This would make contributions towards the cost of upgrading and maintaining Suitable Accessible Natural Green Space and an Access Management and Monitoring Contribution in order to comply with the requirements of Policies NE1 and NE4 of the Local Plan and Saved Policy NRM6 of the South East Plan which seek to prevent harm to protected species and habitats. As such it would also accord with the Conservation of Habitats and Species Regulations which seeks to ensure that development does not adversely affect European sites and species.
14. I have not received a signed and dated agreement. However, as I am dismissing this appeal for other reasons I have not pursued this matter with the appellant.

Other Matters

15. The appellant has identified other developments locally in support of their case. I have limited information about their histories but in any event their contexts would differ from that of the scheme before me and so they do not lead me to a different view in this case.

Conclusion and Planning Balance

16. The appellant has indicated that the scheme can be considered as sustainable development because it meets the economic, social and environmental dimensions of sustainability including the provision of five one-bedroom flats in an area of need. On this basis the appellant argued that the presumption in favour of sustainable development indicates that planning permission should be granted without delay recognising that the Council cannot demonstrate a five year supply of housing land.
17. The provision of a net increase of four additional dwellings and in particular small units would be a benefit to which I give significant weight. Other benefits including contributions to the local economy through construction and by future residents and the development of urban land in an accessible location carry moderate weight. However, I have found that the proposed development would cause significant harm to the character and appearance of the area, would fail to provide adequate parking, would have an adverse effect on the living conditions of future occupants and would cause substantial harm to nature conservation interests.
18. Taking everything into account I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. In reaching this conclusion I have taken account of paragraphs 47-49 of the Framework. Consequently, the proposal does not represent sustainable development and the presumption in favour does not apply. In the circumstances of this appeal the material considerations considered above do not justify making a decision other than in accordance with the development plan.
19. For the reasons set out above, the appeal should be dismissed.

Kevin Gleeson

INSPECTOR