

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: 19 June 2017

Appeal Ref: APP/Y3615/W/17/3169845

The Reve Pavilion Surgery, 2A Guildford Park Road, Guildford GU2 7ER

- 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 Mark Matthews against the decision of Guildford Borough Council.
 - The application Ref 16/P/00921, dated 13 April 2016, was refused by notice dated 18 August 2016.
 - The development proposed is described as two x three storey 2Bed semi-detached dwellings with associated parking and facilities.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form refers to two-bedroom dwellings. However, drawings GP-030-300 P3 and GP-030-302 P3 together show three bedrooms and the Council determined the application on this basis as I have done. In addition, plans show an area to the south of Plot 2 within the appeal site boundary. This area is excluded from the site boundary in plan P3 which forms part of the agreement under Section 106 of the Town and Country Planning Act 1990 which I address below. I have therefore determined the appeal on the basis of the revised site boundary in order that I can take account of the legal agreement.
3. Subsequent to the Council's decision the appellant submitted amended plans in respect of private amenity space. However, 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

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area;
 - whether the proposed development would provide acceptable living conditions for future occupiers with particular regard to private outdoor amenity space; 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).

Reasons

Character and Appearance

5. The appeal site is located to the north of the Reve Pavilion. Further north are the rear gardens of properties in Rupert Road whilst to the west are the rear gardens of 10-16 Guildford Park Road. These properties are generally two-storey semi-detached properties with pitched roofs. To the east the land falls steeply to the railway line. The appeal site is currently used for car parking and as private amenity space.
6. The proposed dwellings would be three storeys in height with a part sloping roof and a part flat green roof. Planning permission has previously been granted for a development of two, two-storey two-bedroom dwellings with the buildings having the same footprint as the appeal scheme.
7. I find that the height of the proposed development would not be significantly different from the ridge height of the neighbouring two storey residential properties to the north and west. Whilst the sloping roof would not be characteristic of the immediate area, I do not find it incongruous particularly in the context of the location of the appeal site in an enclosed courtyard. There would be limited views from properties in Rupert Road and Guildford Park Road at lower levels and the overall height would not appear unduly prominent when viewed from these properties or their gardens given the orientation of the proposed dwellings. However, notwithstanding the accessibility of the appeal site to town centre facilities, and the provision of communal amenity space to the north of Plot 1, I find that the size of Plot 2 would fail to respect the pattern of development locally.
8. I therefore find that on balance the proposed development would fail to comply with Policies G5 and H4 of the Guildford Borough Local Plan, 2003 (the Local Plan) which require buildings to reflect the surrounding area. It would fail to address the requirements of section 7 of the National Planning Policy Framework (the Framework) and Planning Practice Guidance in respect of good design. It would also be contrary to the requirement of the Guildford Borough Council Residential Design Guide Supplementary Planning Guidance, 2004 which aims to achieve high standards of housing design.

Living Conditions for Future Occupiers

9. Each property would have a private patio and grassed area to the front, a Juliette balcony facing the railway together with shared amenity space. The properties would have three bedrooms and therefore could be expected to be occupied by families. I consider that the amount of space proposed would not provide adequate private outdoor amenity space for functions such as drying clothes and play space notwithstanding the fact that it is in a central location and the Council does not have standards for such space.
10. I therefore find that the proposal would not provide adequate private outdoor amenity space and acceptable living conditions for future occupants in line with the Framework which advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of buildings.

With regard to Policies G1 and H4 of the Local Plan I note that these relate specifically to existing buildings and occupiers and therefore the proposals do not offend these policies.

Nature Conservation

11. As highlighted above, a signed Section 106 agreement would secure the delivery of the necessary measures to mitigate any impact of the proposed development upon the Thames Basin Heaths SPA. This would provide contributions towards the cost of upgrading and maintaining Suitable Accessible Natural Green Space and an Access Management and Monitoring Contribution. I am satisfied that these contributions 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 the proposed mitigation 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.

Other Matters

12. The Council cannot demonstrate a five year supply of housing land as required by the Framework. However, the provision of two additional bedrooms beyond the already approved scheme would have a negligible impact on housing supply and would not outweigh the harm which the proposal would cause to the character of the area and the adverse effect on the living conditions of future occupiers. Consequently the presumption in favour of sustainable development does not apply and the proposal is contrary to both the Local Plan and the guidance in the Framework.

Conclusion

13. For the reasons set out above and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

Kevin Gleeson

INSPECTOR