
Appeal Decision

Site visit made on 4 July 2017

by Amanda Blicq BSc (Hons) MA CMLI

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

Decision date: 27 July 2017

Appeal Ref: APP/Y3615/W/17/3172834

81 Byrefield Road, Guildford GU2 9UA

- 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 Chris Liesicke against the decision of Guildford Borough Council.
 - The application Ref 16/P/00705, dated 7 April 2016, was refused by notice dated 26 October 2016.
 - The development proposed is demolition of existing single garage and carport to rear of garden and erection of two storey detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the area: and,
 - the Thames Basin Heaths Special Protection Area (TBHSPA).

Reasons

Character and appearance

3. The appeal site (No 81) is a corner plot fronting Byrefield Road, and with a garage and car port fronting Ryde's Hill Road alongside the plot's rear boundary.
4. The development comprises the construction of a modest two-storey dwelling which would front Ryde's Hill Road and be sited more or less on the footprint of the garage and car port.
5. Dwellings fronting Byrefield and Sheepfold Roads have a back to back relationship across long rear gardens with a strong underlying consistency of form, style and plot size. Ryde's Hill Road runs directly alongside the side boundaries of the end dwellings of Byrefield and Sheepfold Roads, and derives a notable sense of openness from those rear amenity areas.
6. Ryde's Hill Road also marks the boundary between the interwar building pattern outlined above, and a more diverse development pattern to the west. This includes a stretch of open land leading to a common, and a series of

dwelling of mixed age and form, including a short row of terraced houses set close to the footway.

7. The development would introduce a two-storey structure notably closer to the plot's side boundary than the flank walls of either the host dwelling or the opposing corner dwelling on Sheepfold Road. As such, it would appear to project beyond the established development pattern on this side of the road. Together with limited distances to side boundaries, this would be unreflective of the underlying building pattern and the dwelling would appear prominent as well as cramped within the plot. I appreciate that No 81's plot is slightly larger than that of its neighbours but the proposed dwelling would be on a plot appreciably smaller than those of its neighbours.
8. The appellant argues that an existing grass verge would separate the plot from the footway, and that the opposing terrace is only 2 metres from the footway. However, the terrace sits within a more diverse building pattern and is also of a different scale and form from the appeal development. As such, I am not satisfied that the relationship of the terrace to the road is of particular relevance to this appeal. Accordingly, I conclude that the development would appear as a prominent and isolated dwelling unrelated to the largely homogeneous building pattern within which it would be located.
9. The appellant argues that there are other infill plots on Ryde's Hill Road. Number 52a is similarly situated approximately midway between two parallel building lines. It's front elevation is appreciably closer to the road than the opposing dwellings fronting Ryde's Hill Road, or the flank elevations of adjacent dwellings. As such, it appears intrusive in the street scene and far from supporting the appellant's case, I conclude that No 52a's relationship with the road appears overbearing and out of keeping with the underlying building pattern. This example reinforces the concerns I have outlined above.
10. Number 54a is sited close to a corner dwelling and consequently it does not appear as an isolated building within amenity space, and is not comparable to this appeal. In any case, the evidence before me indicates that these examples were given permission under policies which predate the current situation, and precedent does not warrant the perpetuation of development that would result in harm.
11. The appellant also argues that the development would be screened from the south by the trees located along the plot's rear boundary. However, trees cannot be presumed to exist in perpetuity and in any case, the screening effect would be limited and would not disguise the dwelling's prominent positioning from a wider range of viewpoints. Moreover, although the appellant argues that the amenity space behind Byrefield and Sheepfold Roads is *dead frontage*, I consider the proximity of openness and a visual buffer between the lines of dwellings makes a positive contribution to the character and appearance of the area.
12. I appreciate that this application was amended in response to feedback from the Council but this does not alter my reasoning. Although the development's amenity area would be considerably less than that of its neighbours, this is not cited as a reason for refusal and has not been determinative to my reasoning.
13. In the light of the above, I conclude that the development would be detrimental to the character and appearance of the area. This would be

contrary to Policy G5 of the Local Plan¹ (LP) which amongst other considerations requires new development to respect established street patterns, plot sizes, building lines and the relationship with other buildings, as well as the scale height and proportions of the surrounding environment. It would also be contrary to the design aims of LP Policy H4 and the SPG², as well as design guidance given in Section 7 of the National Planning Policy Framework (the Framework).

Thames Basin Heaths Special Protection Area

14. The appeal site lies within the buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The evidence before me indicates that the Council and the appellant are satisfied that potential damage and disturbance to the habitat and protected species could be mitigated by way of a financial contribution secured through a Unilateral Undertaking (UU). This would be in line with the Council's TBHSPA Avoidance Strategy (January 2016) and the contribution would be used to upgrade a Suitable Alternative Natural Green Space in line with the conservation aims of LP Policy NE1 and LP Policy NE4.
15. I am satisfied that a UU could overcome this reason for refusal, and there is a completed UU before me. However, I do not consider the provisions of the UU would outweigh the particular harm I have identified above, nor overcome the planning policy objections to the proposal. Therefore, as I have dismissed the appeal for other reasons I have not considered these matters further in my decision.

Planning balance

16. The Council cannot demonstrate a five year housing supply. However, both policies cited by the Council in the reasons for refusal are concerned primarily with design issues and the officer's report confirms that there is no in-principle objection to the development within relevant local policies.
17. Even if I were to conclude that relevant policies for the supply of housing should not be considered up-to-date, and Paragraph 14 of the Framework were to be engaged, the development would make a very limited contribution to local housing supply. Furthermore, notwithstanding that this would be convenient location for a dwelling, the adverse impacts of granting permission identified above would significantly and demonstrably outweigh the limited benefit of this development when assessed against the policies in the Framework taken as a whole.

Conclusion

18. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and that therefore the appeal should be dismissed.

Amanda Blicq

INSPECTOR

¹ Guildford Borough Council, Guildford Local Plan, adopted January 2003

² Guildford Borough Council, Residential Design Guide, July 2004