



Appeal Decision

Site visit made on 16 January 2018

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2018

Appeal Ref: APP/R3650/W/17/3179334

Land adjoining 2 Dawson Cottage, Lordshill Common, Shamley Green, Guildford, GU5 0TJ

- 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 Guy la Costa against the decision of Waverley Borough Council.
 - The application Ref WA/2016/2446, dated 9 December 2016, was refused by notice dated 7 February 2017.
 - The development proposed is erection of three bedroom detached cottage, using existing access and garage from Lordshill Road.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a three bedroom detached cottage, using existing access and garage from Lordshill Road at land adjoining 2 Dawson Cottage, Lordshill Common, Shamley Green, Guildford, GU5 0TJ in accordance with the terms of the application Ref WA/2016/2446, dated 9 December 2016, and subject to the conditions listed in the attached schedule.

Preliminary Matters

2. The Council has recently adopted its Local Plan Part 1: Strategic Policies and Sites. I have sought comments from the main parties on this policy change and have taken the comments and information received into account in my considerations below.
3. The appellant has provided a proposed amended drawing within his appeal statement showing a revised parking arrangement including an additional parking space. However, this drawing was not before the Council when it considered the application and, other than those who have read the statement, third parties have not been provided with a formal opportunity to comment on it. Therefore, in the interests of fairness for all parties, I have not taken this drawing into account in my considerations.

Main Issues

4. The main issues are:
 - i) The effect of the proposed development upon the setting of the listed building at Dawson Cottage and
 - ii) The effect on the character and appearance of the area, and

- iii) Whether satisfactory parking provision is made for the proposed and existing dwelling?

Reasons

Setting of the listed building

5. When considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Grade II listed Dawson Cottages comprise a 17th century house which was subsequently subdivided into two farm labourer's cottages. The Council says that the significance of the buildings largely results from the survival of the historic fabric and the knowledge that can be gained of the social changes over time. It is a well preserved example of a Surrey farm cottage. Though a large barn or outbuilding previously located adjoining its south west corner has been removed at some point in its history.
6. The appeal site previously formed part of the garden area of 2 Dawson Cottages though it has been separated off by the erection of a fence. However, this does not mean that the site no longer forms part of the historic curtilage of the site.
7. Although the listed building would historically have comprised an isolated building, newer residential development has since been constructed both to the north east fronting on to the common and to the west (Lords Hill Cottages) in proximity of the cottages. A double garage has also been constructed adjacent to it. Dawson Cottages face away from the common and are most apparent in views from Lordshill Road. The listed building is not particularly prominent in views from the common.
8. Whilst it would be forward of the majority, the proposed dwelling would continue the existing row of houses fronting onto the common. It would be orientated in a different direction to Dawson Cottages and would be set back from the front elevation of the listed building. The design of the proposed dwelling is well articulated and would complement the elevations of the listed building.
9. Given the siting of the new development, the separation distance between the buildings along with the design, size and massing of the proposed dwelling, it would not visually compete with or dominate the listed building. The space retained around the proposed building and the listed building would provide a suitable setting for both buildings and would not result in a cramped appearance. The small reduction in the separation from other later development would not be so significant to result in harm to its setting.
10. I am therefore satisfied that the proposed development would preserve the setting of the listed building and would not harm its significance. The proposal would accord with the heritage aims of retained policy HE3 of the Waverley Borough Local Plan 2002 ('the 2002 Local Plan'), policy HA1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 ('the Local Plan Part 1') and the National Planning Policy Framework.

Character and appearance

11. Existing residential development is informally arranged on the south east and part of the north east side of the common with more uniform development on

the south west side. Some dwellings, including Avening Cottage and Hillside Cottages, are located close to the edge of the common. The settlement has a semi-rural character taking account of the areas of open space adjacent to the existing development and its proximity to the open countryside.

12. The proposed dwelling would be mainly viewed in the context of the existing development on the south east side of the common. Whilst it would be forward of the neighbouring four houses facing the common, the generally mixed building line including other forward sited houses means that it would not appear as being unacceptably intrusive or incongruous. The general scale of the proposal in relation to adjacent buildings, its well-articulated attractive design and the opportunity for the retention of some front boundary screening are all material factors which would assimilate it appropriately within its surroundings. There should be sufficient separation from the front elevation including proposed windows to the existing vegetation adjacent to the front of the site to allow this to be largely retained without pressure for its removal.
13. Whilst the site is predominantly open, other than the existing garage, I consider that this openness makes a limited contribution to the general character and appearance of the area. Taking account of the factors set out above, it would not lead to unacceptable development at the edge of the settlement and would not significantly impinge on the transition between the open countryside and the more built up settlement. Furthermore, no harm would result upon the landscape qualities of the Area of Great Landscape Value.
14. I am therefore satisfied that the proposal would not result in any significant harm to the character and appearance of the area. It would accord with the relevant design aims of retained policies RD1, D1 and D4 of the 2002 Local Plan, policy TD1 of the Local Plan Part 1 and paragraph 58 of the Framework.

Parking arrangements

15. The proposal provides for a total of four parking spaces (including garaging) plus turning space that would be shared between 2 Dawson Cottages and the proposed dwelling. The Council's Parking Guidelines recommend 2.5 spaces per unit for dwellings of 3 bedrooms or more. There would be a shortfall of half a space for the proposed dwelling and 1 space in total when considering the implications for both dwellings. As both the existing and proposed dwellings are of three bedrooms, this is not a case where a very large dwelling is proposed with lots of bedrooms and a resulting higher likelihood of a large parking requirement. It seems to me that two spaces is likely to be ample for the three bedroom dwellings.
16. It is reasonable and possible for arrangements to be reached between the occupiers of the two dwellings allowing for the spaces to be reasonably shared. I do not consider that the proposed parking arrangement is likely to result in adverse highway implications. A condition can be imposed to ensure that the parking and turning space is retained.
17. Therefore, whilst the proposed parking provision would fall slightly short of the Council's Parking Guidelines, I consider in this case that the proposed parking arrangements would be generally acceptable for the proposed development and the existing dwelling. The proposal would satisfactorily accord with the parking

aims of policy D4 of the 2002 Local Plan and the Framework. I have not been provided with a copy of policy ST1 of the Local Plan Part 1.

Other matters

18. The Council is satisfied that the proposal would not be inappropriate development in the Green Belt, noting that it is surrounded on three sides by existing development and so would amount to limited infilling. I agree with this conclusion.
19. The additional traffic generation from a single dwelling would be limited and, whilst noting the narrow road and proximity of the childrens' playground, I do not consider that it would result in the likelihood of any significant impacts for highway safety, including the safety of pedestrians.
20. Although the construction works for the development would inevitably result in some inconvenience and disruption, such impacts would be temporary. I do not consider that the size of the construction project or the likely intensity of the works would be such to result in any significant harmful impacts upon neighbouring living conditions, highway safety or the environment in general.
21. I am satisfied that the relationship of the proposed dwelling to the adjacent neighbouring property (Brambles), including the separation distance and lower height, would prevent any unacceptable impacts upon the occupiers living conditions in respect of light, outlook and privacy.

Conditions

22. I have considered the Council's suggested conditions. A condition specifying the approved plans is necessary as this provides certainty. Condition 3 for the approval of materials, condition 5 requiring approval of a landscaping scheme and condition 9 relating to detailed design matters are necessary to safeguard the character and appearance of the area and the setting of the listed building. The landscaping condition also includes means of enclosure, hard surfaces and external lighting. A condition (4) requiring the approval of levels is necessary to ensure a satisfactory scale and height of the development.
23. A construction method statement (6) is required to manage and control impacts from construction works upon the surrounding area, including the highway. This includes the Council's transportation requirements. Condition 7 requiring the laying out and retention of parking (including garaging) and turning space is necessary to provide for appropriate parking and to safeguard highway safety. Given the sensitive location of the site within the setting of the listed building, I consider that exceptional circumstances exist in this case for the removal of permitted development rights for extensions (including roof extensions) alterations and outbuildings/enclosures (condition 8). However, this is not necessary for classes D, F, G or H.
24. The Council has not provided a reason for the imposition of a condition requiring the approval of services. I do not consider this to be necessary. I have not imposed a condition prohibiting the burning of materials during construction as this would be the subject of separate environmental protection controls. I have merged the Council's suggested garaging and parking/turning conditions into one condition and do not consider there to be justification for a separate garage condition as any change of use of the garage would in any case be subject to normal planning controls. I do not consider that the

proposed dwelling is likely to have any particularly noisy plant or machinery and so the Council's suggested noise control condition is not necessary.

25. Some conditions require the approval of details prior to commencement. This is necessary for conditions 3, 4 and 5 as they relate to the design of the proposals and for condition 6 as it relates to construction works.

Conclusion

26. I find that the proposed development would accord with the development plan when considered as a whole and there are no material considerations that have led me to find that permission should be withheld.
27. For all the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 964/001 Rev 02, 964/002 Rev 01, 964/003 Rev 01, 964/004 Rev 01, 964/005, 964/006 Rev 01, 964/007 Rev 01, 964/008 Rev 01, 964/009 Rev 01, 964/010, 964/011.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 5) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) Protection measures for landscaping to be retained including that adjacent to the site;
 - ii) Any walls, fences or other means of enclosure;
 - iii) Hard surfacing materials;
 - iv) External lighting;
 - v) An implementation programme.

The landscaping works and measures shall be carried out in accordance with the approved details and in accordance with the agreed implementation programme. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise approved in writing by the local planning authority.

- 6) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) The parking of vehicles of site operatives and visitors;
 - ii) Loading and unloading of plant and materials;
 - iii) Storage of plant and materials used in constructing the development;
 - iv) Cement mixing;
 - v) Hours of construction including deliveries;
- 7) The development hereby permitted shall not be occupied until space has been laid out within the site (including garaging) in accordance with the

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning area shall be retained for their designated purposes.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, alterations, or outbuildings/enclosures as defined within Part 1 of Schedule 2, Classes A, B, C or E shall be erected other than those expressly authorised by this permission.
- 9)
 - i) The new roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional design including exposed rafter feet, cut verges without Winchester cuts, bonnet hip and valley tiles and hogs back or half round ridge tiles,
 - ii) All windows shall have flush fitting casements,
 - iii) Rainwater goods will be either cast iron, cast aluminium or cast effect plastic.