



Appeal Decision

Site visit made on 10 June 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2019

Appeal Ref: APP/Y3615/W/19/3222386

2 Sandfield Terrace, Guildford GU1 4LN

- 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 Charles against the decision of Guildford Borough Council.
 - The application Ref 18/P/02021, dated 16 October 2018, was refused by notice dated 10 December 2018.
 - The development proposed is a proposed two storey side and single storey rear extensions.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The above description of the proposed development has been taken from the application form. This changed during the course of the application to 'a proposed 2 storey side extension and part single/part two storey rear extension, to facilitate the creation of a new flat, refurbishment of basement to habitable accommodation, with light well to front and new front wall, insertion of gate in side wall.'". Although the appeal form states that the description has not changed, this amended description more accurately reflects the proposed development. The Council made their decision on this basis and so shall I.
3. An amended plan (Drawing No A101 Rev A) has been submitted by the Appellant during the appeal process, and after the Council's decision to refuse the application. These materially change the layout of the two dwellings by omitting one bedroom from Unit 2 and enlarging a bedroom in Unit 1. I acknowledge that this has been submitted in an attempt to overcome some of the Council's concerns. However, this materially changes the nature of this application and the way the space standards have been considered and applied. This is not the scheme that was considered by the Council, when making its decision, and when interested parties' views were sought. The appeal will therefore be considered on the basis of the plans that were originally submitted to the Council, and on which their decision was based.
4. The Guildford borough Local Plan: strategy and sites document was adopted on 25 April 2019, after their decision on this application was made. A number of policies have been saved from the Guildford Borough Local Plan (2003), but policies in the newly adopted plan are now accorded full weight and have therefore been considered as part of this appeal. The Council are now able to

demonstrate a five year housing land supply, with an appropriate buffer and this is relevant to this appeal. The Appellant has had the opportunity to comment and considers that the proposal is in accordance with the updated policy and housing supply position.

Main Issues

5. I consider that the main issues are:

- Whether the proposed development preserves or enhances the character and appearance of the Town Centre Conservation Area.
- The effect of the proposed development on the living conditions for future occupiers, with particular regard to internal layout, window placement and space;
- The proximity of the proposed development to the main road as a source of poor air quality; and
- The effect of the development on the Thames Basin Heaths Special Protection Area (TBHSPA).

Reasons

Character and appearance

6. The site lies at the end of a terrace of houses in a narrow street. It is within the Town Centre Conservation Area (TCCA). The area comprises a mix of mainly residential properties and is within close proximity to a large retail shop. The residential properties in Sandfield Terrace, generally form a compact terrace of two storey dwellings of mostly consistent scale and architectural detail.
7. The significance of the wider Conservation Area lies with the surviving form, symmetry and pattern of development. In particular the original footprint of the houses and scale of garden space, which is most noticeable to the rear. The significance of this terrace within the TCCA, lies in its originality, uniformity of scale and architectural detail both to the front and to the rear. The appeal site follows this form, thus making a positive contribution to the TCCA.
8. The appeal property is a two-storey dwelling with an existing basement currently used as a double bedroom. Whilst set on a corner plot and following the general pattern of development in the Terrace, the plot narrows towards the rear of the garden giving it a tapered appearance. The rear of the terrace is stepped in design and this provides important spacing between the rear elevations of the dwellings.
9. The proposed development would result in a large two storey side extension, and a part single and part two storey extension to the rear of the property to provide a second dwelling. Additional works include the refurbishment of the basement, together with a new front wall and gate.
10. The proposed large extensions would extend across the full width of the site and would follow the slant of the boundary. The combined scale of the extensions on this small plot would result in the development appearing cramped and incongruous, especially when viewed from York Road. Moreover, the loss of symmetry and spacing between the host and neighbouring dwelling at No 3,

would disrupt the uniformity of the terrace as a whole, resulting in harm to the wider Conservation Area.

11. I acknowledge that No 2 originally formed part of the larger terrace with 1 Sandfield Terrace having been demolished. Nevertheless, its position at the end of the terrace and orientation to the other surrounding roads, makes it an important landmark to this part of the TCCA. The boundary wall to this modest rear garden marks the limit of the Conservation Area with the busy bypass beyond. The existing gap between the side elevation of the dwelling and boundary wall, affords a transition from the tight knit housing to the road beyond. This open space allows clear views of the rear of this terrace, and to and from, the conservation area.
12. I acknowledge that the extension would be slightly set back from the front elevation of the host building. Nonetheless, in my judgement the height of the eaves and ridge mean that it would still dominate the host building, rather than appearing subservient to it. Moreover, the unconventional angled design of the extensions, would be significantly at odds with the uniformity that characterises the original design of the building, the rest of the terrace, and TCCA as a whole.
13. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving and enhancing the character or appearance of conservation areas.
14. The National Planning Policy Framework (NPPF) states that harm to a heritage asset might be defined as 'substantial' or 'less than substantial.' However, Planning Practice Guidance (PPG) advises that in general terms, substantial harm is a high test and that works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. In finding harm to the Conservation Area, due to the small-scale nature of the proposal when taken in the context of the Conservation Area as a whole, I would quantify its extent to be less than substantial.
15. Nonetheless, I attach considerable importance and weight to that harm, and in applying the test set out in the NPPF, I note that, other than the financial investment of providing one additional dwelling, no additional public benefits for the scheme have been identified. Accordingly, I find that there would be little public benefit to offset the identified harm.
16. Overall, I find the proposed development would cause harm to the host building and the character and appearance of the area. The proposed development would therefore be in conflict with saved Policies G5, H4, H8 and HE7 of the Guildford Borough Local Plan (2003) and Policies D1 and D3 of the Guildford borough Local Plan: strategy and sites (2019). These policies in summary, seek to ensure that development in conservation areas, preserve or enhance the character and appearance of the conservation areas, established street patterns, plot sizes, building lines, the scale and proportions of the surrounding environment, and the relationship with other buildings.

Living conditions

17. My attention has been drawn to the Government's Nationally Described Space Standards (NDSS) which provides guidance for assessing the space requirements for various types of dwellings. The Guildford Borough Submissions Local Plan has been found sound following examination subject to modifications.

It is therefore necessary to have regard to Policy H1 and the above guidance, together with an assessment of any harm beyond that indicated by these documents.

18. The proposed dwelling is dis-jointed and unconventional in design, mainly due to the angular nature of the plot. On the basis of the submitted plans, both units fall short of the space required for dwellings of this size and occupancy.
19. The layout of the accommodation in Unit 1 means that Bedroom 1 would be in the basement. The Council's reasons for refusal relate to internal layout, design and window placement being unacceptable. I saw from my site visit that this room is dark with the current high level window providing little light or outlook. Although it is currently in use as a bedroom, in my judgement the window placement would provide an extremely poor standard of amenity for future occupiers.
20. It is clear from the evidence before me, that bedroom 3 in Unit 2, falls significantly short of the 7.5 square meters recommended for a single bedroom. Moreover, it is disconnected from the other living areas of this dwelling. There is only a high level window which overlooks the bypass. Whilst this would provide sufficient light to the room, the outlook would be poor and this combined with its position, and size would result in very poor living conditions for the occupiers of the dwelling.
21. Overall, I conclude that the proposed development by virtue of its disjointed and cramped design, would provide extremely poor living conditions for the future occupiers of both dwellings, in terms of space, daylight, and outlook. The development would therefore be contrary to saved Policies G5 and H4 of the Guildford Borough Local Plan (2003) and Policies D1 and H1 of the Guildford borough Local Plan: strategy and sites (2019). In summary these policies aim to ensure that new development does not have an unacceptable effect on the living conditions and amenity of future occupants.

Proximity to a source of emissions

22. It is acknowledged by the parties that air quality is potentially an issue, due to the proximity of the bypass to the proposed development. I have not been provided with evidence to demonstrate that an air quality assessment is, or is not, necessary. Nonetheless it is reasonable to conclude that the proximity of the proposed development to this busy road, may result in mitigation of any harmful effect of pollution being required.
23. Paragraph 180 of the NPPF requires new development to be appropriate for its location, taking into account the likely effects of pollution on health. Without sufficient information to establish whether mitigation is required, and how will be provided, the proposal fails to comply with the NPPF in this regard.

Effect of the development on the Thames Basin Heaths Special Protection Area

24. The Habitat Regulations 2015 require an assessment to be undertaken, as to whether a proposal would be likely to have a significant effect on the interest features of a protected site. The Thames Basin Heaths Special Protection Area (TBH SPA) is such a protected site.
25. The site lies within the 400 metres to five kilometres buffer zone from the TBH SPA, and would provide a net increase in occupancy. Therefore, the proposed

development has the potential to cause harm to the TBH SPA. The possible impact and the exact form and extent of any possible harm is however unclear. Moreover, there has been no assessment as to how and whether any such harm can be addressed by suitable mitigation.

26. In the absence of such evidence, the proposal conflicts with saved policies NE1 and NE4 of the Guildford Borough Local Plan (2003). These policies together aim to ensure that designated sites, including the TBH SPA, are given the highest degree of protection.

Other matters

27. I understand that residents are concerned about any exacerbation of an existing pollution problem, by the introduction of additional vehicles connected with the new dwelling. However, the Council has not provided any evidence to demonstrate what the likely reduction in air quality, as a result of the proposal might be, and whether the scheme would have any discernible effect on public health.
28. Following the adoption of the Guildford borough Local Plan: strategy and sites (2019) the Council are able to demonstrate a five year housing supply with an appropriate buffer. The appeal has therefore been determined on this basis.

Conclusion

29. For the above reasons the appeal is dismissed.

Hilary Orr

INSPECTOR