The Planning Inspectorate

Appeal Decision

Site visit made on 25 June 2019

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2019

Appeal Ref: APP/R3650/W/19/3224881
Keys Cottage, Holloway Hill, Godalming GU7 1RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Adrian Muir against Waverley Borough Council.
- The application Ref WA/2018/1887, is dated 25 September 2018.
- The development proposed is described as: Erection of a dwelling and demolition of existing dwelling and associated works. This is phase 1 of previously submitted scheme of 12 dwellings.

Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matter

2. The emerging Godalming and Farncombe Neighbourhood Plan has been independently examined and it has been recommended that, with modifications, the plan can proceed to referendum. However, as the status of the Neighbourhood Plan is not "made" I have afforded it only limited weight.

Main Issue

3. The Council issued a "decision notice" after the submission of the appeal against non-determination and this sets out what would have constituted the reason for refusal had they been in a position to determine the application.

4. On this basis the main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The site is located on the junction with Braemar Close and Holloway Hill. It currently comprises a semi-detached bungalow set at a low level with steep inclined banks rising to well treed boundaries. The majority of the site is therefore set at a lower level than surrounding properties. The inclined site is a consequence of its historic use as a quarry. The proposal relates to the erection of a dwelling with five floors, including a basement for storage and accommodation in the roof, served by dormer windows. A detached double garage and landscaping works are also proposed. The existing dwelling would be demolished upon completion.

6. There have been various planning applications for residential development at the site. Most pertinently, planning permission was granted[1] for one dwelling that, according to the Council, was perpendicular to the boundary with No 1 Braemar Close and which featured four floors, including a basement. Subsequent variations to this planning permission have also been approved. A scheme for the erection of 12 dwellings was refused[2], seemingly as a relevant legal agreement was not entered into by the appellant. I however only have very limited details before me of the previous planning applications and decisions for the site.

7. The topography of the site is unique in that it forms a bowl feature, given the historic land use. Whilst there are some examples of three-storey buildings in the locality, the dwelling, particularly in views from the east, would be akin to a four-storey building, at approximately 13.3m to its ridge. This would be approximately 2.25m higher than the approved scheme, according to the Council, and have a different roof type.

8. The eastern gable, which would not be fenestrated, albeit containing some recessed detailing, would result in the introduction of significant built form. Indeed, the ridge height of the dwelling would be approximately the same as No 1, despite the significantly higher ground level of that property.

9. The scale of the dwelling and this height would be glimpsed in views from both Holloway Hill and Braemar Close, despite the existing trees and hedgerows largely being retained, and which could be controlled by planning condition. The height of the development, whilst perhaps reflecting a unique solution given the features of the site, would however be imposing and not in keeping with the street-scene or the character and appearance of the local area, despite the lower level of the site. It would therefore appear substantially taller than the surrounding built form and neither be sympathetic, respond to or add to the overall quality of the area.

10. Despite the harm I have identified, I have little evidence to persuade me that the detailed design and appearance of the dwelling would not respect the more traditional surrounding buildings, given the use of materials and window detailing, which could be controlled by planning condition. It is also not so close to the boundary with No 1, in respect of its layout, so as to be out of character with surrounding plots, given the pattern of development along Braemar Close.

11. I nevertheless conclude the development would be harmful to the character and appearance of the area and would fail to accord with Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, 2018, and saved Policies D1 and D4 of the Waverley Borough Council Local Plan, 2002. These policies, amongst other things, require development to: respond to the distinctive local character of the area; not result in harm to visual character; and, protect or enhance the appearance of the street-scene. For the same reasons the development would fail to comply with the achieving well-designed places objectives of the National Planning Policy Framework.

Other Matters

12. I appreciate the appellant has sought advice from the Council prior to submitting the appeal application. He is also concerned by inconsistencies and

[1] Council Ref WA/2014/0182
[2] Council Ref WA/2012/0548

the way he considers the Council has handled his application, which had been recommended for approval by Officers to the Area Planning Committee. I am however not bound by the Council's previous advice or recommendation as I am determining the appeal on the basis of the evidence before me, including my assessment, which involves matters of judgement.

13. The scheme is primarily focused on achieving high standards of thermal efficiency and ensuring the long-term sustainability of the building. The garage also reduces the need to park cars outside and the basement and landscaping take account of site constraints. I however have little evidence to indicate why meeting these objectives necessitates the consequent height of the dwelling. I accordingly afford these matters very limited weight. The absence of other planning harm, such as impact on neighbouring properties, is not a positive factor in favour of the scheme and so only attracts neutral weight.

14. A number of representations were received objecting to the development raising other matters, however, these are not in dispute between the Council and appellant. As I am dismissing the appeal in respect of the main issue, I need not consider these other matters further. Neither would it be reasonable to allow the appeal on the basis the appellant may then amend the scheme to alter the roof and reduce the height of the dwelling.

Conclusion

15. For these reasons and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed, and planning permission refused.

Paul T Hocking

INSPECTOR