
Appeal Decision

Site visit made on 29 July 2019

by Tim Crouch DipUD MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2019

Appeal Ref: APP/Y3615/W/19/3227576

High Brambles, Park Corner Drive, East Horsley KT24 6SE

- 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 Ms Andrea Larter against the decision of Guildford Borough Council.
 - The application Ref 19/P/00070, dated 14 January 2019, was refused by notice dated 28 February 2019.
 - The development proposed is demolition of bungalow, and erection of a pair of semi-detached houses.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Guildford Borough Local Plan: Strategy and Sites (April 2019) (LPSS) has been adopted since the refusal of the planning application. This has superseded some of the saved policies of the Guildford Local Plan (2003) (LP) that are listed within the Council's decision notice.
3. The Green Belt designations have also been reviewed, including the settlement of East Horsley. The Council has confirmed that the appeal site is not now located within the Green Belt.
4. LP Policy NE1 has been superseded by both LPSS Policy P5 (Thames Basin Heaths Special Protection Area) and LPSS Policy ID4 (Green and Blue Infrastructure). LP policies G5(1) and G5(6) have been superseded by LPSS Policy D1 (Place shaping). LP policies RE1, RE2 and RE3 have been superseded by LPSS Policy P2 (Green Belt), however these are no longer relevant.
5. The appellant has had the opportunity to comment on this. I have therefore had regard to these policies as part of the appeal.
6. The appellant has included an amended site plan with the appeal to remove the boundary differentiation in the front garden. The Council has commented upon this, and it was available for third parties. I do not consider that parties would be prejudiced by its inclusion and therefore have considered it as part of the appeal.

Main Issues

7. The main issues are the effects of the proposal on, firstly, the character and appearance of the area, and secondly, the Thames Basin Heaths Special Protection Area.

Reasons

Background

8. The proposal has been revised following the refusal of a previous application that was dismissed on appeal¹. The appellant has attempted to address the Council's and earlier Inspector's concerns by reducing the width of the properties and lowering the roof height within the street. An extra storey has been created by including a lower ground floor at the rear.

Character and Appearance

9. Park Corner Drive is characterised by substantial dwellings in large plots. These have generous front gardens creating open frontages with limited formal boundary treatment. There are mature trees and hedgerows within the street and a tree lined backdrop which is visible in the gaps between dwellings and at the end of the street, which slopes gently upwards. These mature features break up the built form and create a semi-rural, sylvan and spacious character.
10. The buildings themselves, whilst with some variation in architectural style and scale, are two storey or lower, with horizontal emphasis of proportions reflecting the large, predominately regular plot sizes on this side of the street. This often includes single storey elements closest to the side boundaries raising the built form incrementally into the plots, contributing to the open character. This creates a wide and lower proportioned frontage of built form with the significant majority of dwellings detached and set within a broadly consistent line. Where there are semi-detached buildings, these are within larger plots, with substantial width frontages and similar proportions of building, maintaining the local character.
11. Policy D1 of the LPSS requires development to reflect the distinct local character of the area and respond to, and reinforce, locally distinct patterns of development. Policy EH-H7 of the East Horsley Neighbourhood Plan (2018) (NDP) requires that designs are in keeping with the established character of East Horsley and the style of properties surrounding the development. Whilst not listed in the Council's reason for refusal, Policy EH-H8 of the NDP is referenced in both main parties' submissions and is relevant. This requires infill development to have size and massing no greater than that of surrounding properties.
12. Paragraph 124 of the National Planning Policy Framework (2019) (the Framework) makes clear that the creation of high quality buildings and places is fundamental to the planning process, good design being a key aspect of sustainable development. Paragraph 127 sets out that development should be sympathetic to local character and seek to establish or maintain a strong sense of place. Development exhibiting poor design quality should be refused.

¹ Appeal ref APP/Y3615/W/18/3198147

13. The increased built form arising from the replacement of the existing bungalow with a pair of semi-detached dwellings, taken together with the subdivision of the currently open frontage and the introduction of surfaced parking areas, would have an urbanising effect that would be at odds with the prevailing open spacious character of the locality.
14. The proposal would have the appearance of two storeys within the street, but would have a lower ground floor open to the rear. Whilst set in from the boundaries to the side and with a traditionally designed hipped roof, there would be limited gaps between properties. The proposed building would appear as two storey close to the boundary and would not follow the incremental stepping of properties within the street, despite the lower eaves design. I note that the roof plan has been carefully considered to reduce the bulk and massing of the roof, however the scale and positioning of the building would dominate the plot and fail to respect the open and spacious character and views of the tree lined backdrop.
15. The proposal, whilst stepped following the slight increase in levels within the street, would have a substantial roof height, matching those of neighbouring properties. However, these are much wider buildings with the proportions following the established local character within the streetscene. The narrower width of the proposal would highlight the scale of the building and create a vertical emphasis. This would be exacerbated by the strong gable features, which whilst a feature in the street, are a smaller design element within the neighbouring buildings rather than the dominating feature. This would accentuate the height and narrow proportions of the proposal, and at shallower roof pitch, would be discordant in design terms despite the proposed use of very high quality traditional external materials and timber joinery.
16. Whilst I acknowledge the revisions have been made to the current scheme, these are insufficient in my view to overcome the concerns expressed by the Inspector who considered the earlier appeal.
17. Overall, I consider the proposal would be out of keeping with its surroundings in terms of the scale and height of the proposed dwellings, and the limited separation distances to the side boundaries. The proposal does not address the characteristics of the street scene and surroundings and as such it would represent an incongruous and unsympathetic form of development that would be harmful to the character and appearance of the surrounding area. As such it would conflict with LPSS Policy D1, NDP policies EH-H7 and EH-H8, and National Policy in the Framework.

Thames Basin Heaths Special Protection Area

18. The site lies within 5km of the Thames Basin Heaths Special Protection Area (SPA). The Council identifies that there are significant concerns with regard to the potential for an adverse effect on the integrity of the SPA from use associated with the new dwelling. The appellant has provided a draft Unilateral Undertaking with the appeal to seek to make a contribution towards mitigation of any impacts. However, given my findings on the first main issue, I have not considered this matter further, including whether an appropriate assessment is required or the necessity of a legal agreement.

Conclusion

19. I have had regard to the benefits arising from the proposal. The provision of one extra dwelling would add to the supply of housing in the Borough although to a very limited degree. I have concluded that the proposal would materially harm the character and appearance of the area. Paragraph 12 of the Framework confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. The proposal would conflict with the development plan and would not amount to sustainable development. There are no other material considerations, including the provisions of the Framework that would outweigh this conflict. Therefore, for the reasons given above and considering all other matters raised, the appeal should not succeed.

Tim Crouch

INSPECTOR