



Appeal Decision

Site visit made on 17 September 2019

by Helen B Hockenhull BA (Hons) B. PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2019

Appeal Ref: APP/Y3615/W/19/3232724

Poyle Park Cottage, Poyle Road, Tongham, Surrey GU10 1BS

- 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 Lawrence Howie against the decision of Guildford Borough Council.
 - The application Ref 19/P00045, dated 9 January 2019 was refused by notice dated 28 March 2019.
 - The development proposed is two detached 4-bedroom dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the original planning application was determined, the Guildford Local Plan: Strategy and Sites 2015-2034 was adopted by the Council on 25 April 2019. The Plan now carries full weight and it is against the policies of this document that I have determined the appeal. Certain policies in the 2003 Local Plan have not been superseded by the new Local Plan. Where relevant I have identified these saved policies in my reasoning.

Main Issues

3. The main issues in this case are:
 - whether the site would form a suitable location for residential development having regard to local and national planning policies;
 - the effect of the proposed development on the character and appearance of the Area of Great Landscape Value;
 - the effect of the proposed development on the Thames Basin Heaths Special Protection Area (SPA).

Reasons

Suitable Location

4. The appeal site forms part of the garden area to Poyle Park Cottage, a detached dwelling located to the east of the settlement of Tongham. It lies within an area of countryside not designated as Green Belt and in an Area of Great Landscape Value (AGLV).

5. Policy P3 of the Guildford Local Plan 2019 in part 5 states that in this area, development will be permitted provided it requires a countryside location or where a rural location can be justified. It is also required to be proportionate to the nature and scale of the site, its setting and countryside location, and it should not lead to greater coalescence between the Ash and Tongham urban area and either Aldershot or Ash Green village.
6. The Policy seeks to limit development in the countryside unless it is necessary in this location or contributes positively towards the rural economy. There is no evidence before me that the proposed two dwellings require to be located in this rural area.
7. Now that the new Local Plan has been adopted the Council can demonstrate a 5-year supply of housing land. The policies for the supply of housing are up to date and sufficient sites have been identified to meet the needs of the borough over the plan period. In the absence of a need for the development to be located within the countryside and acknowledging the Framework objective to recognise the intrinsic character and beauty of the countryside, the proposal conflicts with Policy P3 of the Local Plan.

Character and appearance

8. The area in which the appeal site is located is characterised by a loose ribbon of development to the south of Poyle Road. It is separated from the nearby village by an open field providing a distinctive gap of around 60 metres. There are open fields to the north, south and west of the appeal site giving the area a rural character.
9. The appeal site consists primarily of mown grass with a mature hedgerow of around 2 metres in height along the site frontage and further vegetation and hedgerow to the other site boundaries. Its openness contributes to the undeveloped gap between the existing cottage and the nearby settlement.
10. The proposed two dwellings would front the highway and be accessed from the existing western access to the site. In terms of footprint and set back from the road, I consider that they would not be out of keeping with other dwellings in the locality. However, the properties would be sited with minimal spacing between them. This would be at odds with the low-density development and large gaps between dwellings characteristic of the rural area. Together with the proposed parking and turning area to the site frontage, it would introduce a more urban form of development, like that found in the village, extending this urban form into the countryside. This would cause harm to the character and appearance of the countryside area.
11. The dwellings proposed are of a contemporary design with a flat roof. Whilst I noted on my site visit that there is a range of house styles in the locality, they illustrate a degree of uniformity in terms of their traditional design. The proposed flat roof, whilst it would reduce the overall height of the dwellings, would be out of character with the pitched roofs of dwellings in the area. It would also result in the proposed dwellings having a bulky appearance which would be visible in the street scene from the access to the site. I consider that in terms of design, bulk and mass, the proposed dwellings would have an adverse impact on the character of the countryside and the AGLV.

12. With regard to materials, the proposed use of timber and stone would be appropriate in a rural setting. I note that the Council has raised concern about the use of grey stone which in their view would give the dwellings an austere visual appearance. The Council has suggested that a condition requiring the submission of materials should be imposed if the appeal is allowed. This would enable further detailed consideration of this matter.
13. My attention has been brought to a recent development of 6 dwellings on the site of 107 Poyle Road, at the edge of the village. This development has led to an extension of the village boundary in the recently adopted 2019 Local Plan. The site is well related to the existing development in the village and of a density, design and materials complementing the existing urban form of the area. It is therefore not comparable to the scheme before me, which is located outside the settlement and is of a very different design. In any event each proposal should be considered on its individual merits.
14. In summary, the density of development, the minimal spacing between the dwellings and the design, would cause harm to the character and appearance of the countryside and the AGLV. The proposal would therefore conflict with Saved Policy G5 of the Guildford Borough Local Plan 2003 and Policies P1 and P3 of the 2019 Local Plan. These policies seek to protect the distinctive character of the AGLV and ensure that new development respects the scale, height, proportions and materials of the surrounding environment. The scheme would also conflict with the Framework which seeks in paragraph 170 to ensure that planning decisions contribute to and enhance the natural and local environment recognising the intrinsic character and beauty of the countryside.

Thames Basin Heaths SPA

15. The appeal site lies within 5 km of the Thames Basin Heaths SPA, which is an internationally designated site of nature conservation importance, with special reference to ground nesting birds. The proposal is likely to have a significant effect in combination with other plans and projects on the SPA through increased recreational pressure. The Council's adopted Thames Basin Heaths SPA Avoidance Strategy 2017 provides guidance on how the impact of residential development may be mitigated. This is primarily through seeking financial contributions towards the provision of a Suitable Alternative Greenspace (SANG) and a financial contribution to help fund Strategic Access Management and Monitoring (SAMM).
16. The appellant has provided a signed and dated agreement under section 106 of the Town and Country Planning Act 1990 to secure the required financial contributions to the SANG and the SAMM to mitigate the impact of the development on the SPA.
17. I am satisfied that, subject to mitigation, the proposal would not have an adverse impact on the SPA either alone or in combination with other projects. The development would therefore comply with Section 15 of the Framework, Saved Policies NE1 and NE4 of the Guildford Borough Local Plan 2003, Saved Policy NRM6 of the South East Plan 2009 and Policy P5 of the Guildford Borough Local Plan 2019. These policies aim to conserve and enhance the natural environment and ensure that development does not result in adverse effects on the ecological integrity of the SPA.

Other matters

18. With the adoption of the 2019 Guildford Borough Local Plan, the Council can demonstrate a five-year housing land supply and the policies of the Local Plan are up to date in terms of paragraph 11 of the Framework. The appellant incorrectly states that there is a lack of a 5-year housing supply, which was the case at the time the original planning application was considered by the Council. I have determined the appeal on this basis.
19. I am aware that the appellant has tried to work with the Council to achieve an acceptable scheme. There have been several planning applications and appeals on the site. These involved different numbers of dwellings, design and layout. They were also considered against a different planning policy background than that of the current appeal. Accordingly, whilst I have taken them into account, they are not comparable to the case before me and I give them limited weight.
20. There are no concerns raised about highway issues or the effect of the proposal on the living conditions of the occupants of nearby residential properties. Furthermore, a Phase 1 habitat survey was provided with the submitted planning application which concluded that the development would cause no harm to protected species and that proposals for biodiversity gain could be incorporated into the scheme. Whilst these factors weigh in favour of the proposal, they do not outweigh the harm I have identified.

Conclusion

21. Whilst I am satisfied that the appeal scheme would not result in adverse impacts on the Thames Basin Heaths SPA, I have found that the proposal would be unjustified in a countryside location and would cause harm to the character and appearance of the AGLV.
22. For the reasons given above, and having had regard to all the matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR