
Appeal Decision

Site visit made on 16 June 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2020

Appeal Ref: APP/Y3615/W/20/3247227

54 Poyle Road, Tongham GU10 1DU

- 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 T Mazhar against the decision of Guildford Borough Council.
 - The application Ref 19/P/02062, dated 2 December 2019, was refused by notice dated 8 January 2020.
 - The development proposed is the erection of two semi-detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (a) the character and appearance of the area and (b) the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA).

Reasons

Character and appearance

3. The appeal site comprises the side garden of a two storey dwelling at 54 Poyle Road. There is an existing chalet style dwelling on the other side of the site at 52 Poyle Road. The surrounding area is residential with varied dwelling forms and designs. Frontage hard surfaced areas also differ with some being extensive and others partly garden, comprising lawn and vegetation. However, there is a significant open landscaped area either side of the entrance to the Cardinals (also referred to as South Side), a residential road, which is a distinctive feature of the area.
4. An existing single storey extension and double garage have been demolished on the site. The proposed semi-detached dwellings would have a similar frontage design and height as No 54 and its semi-detached neighbour at 56 Poyle Road. However, both proposed dwellings would have box-like rear dormers at 2nd floor level within their rear roofs. Such designed dormers dominate their rear roof slopes in a bulky and visually awkward manner.
5. Such an adverse effect would be noticed from the road between the dwelling and the neighbouring dwelling at No 52. A 3D street elevation plan also shows part of it would be visible above the lower height of the neighbouring dwelling. Furthermore, the adverse impact on character and appearance would be noticeable from the rear of neighbouring properties.

6. There is a box-like rear dormer at No 56 and planning permission has been granted under the prior approval procedure for a box-like dormer at No 54. However, most of the rear roof slopes, visible from the site, have retained sloping pitched roofs, which contribute to a more traditional roofscape within the area. In this regard, rear dormers are the exception and where they are present, almost all are not as bulky as that proposed. There are permitted development rights for roof alterations to the rear of dwellings which can take the form of a box-like dormer. However, there is no evidence of the widespread occurrence of this occurring in the area and in any case, these larger types of dormers, are not good architecture on newly designed and built dwellings, such as these, because of their bulk. As such, the rear dormers on the new dwellings would not be visually attractive.
7. Vehicle parking for both the proposed dwellings and the existing dwelling would be provided in front of the dwellings. Some landscaping has been provided but this would be insufficient to break up the extent of hard surfacing across the frontages of the dwellings. Along with private pedestrian footways, this would dominate the roadside. Additionally, vehicles would further be backing/fronting onto the road and there would be little boundary treatment with the highway exposing a row of parked vehicles. Bin storage areas would also be to the front. Such a hard surfaced and vehicle dominated layout would be visually unattractive and would be detrimental to the character and appearance of the area. In this regard, it would markedly detract from the nearby attractive open landscaped areas either side of the entrance into the housing area of the Cardinals.
8. There would be a spacious gap between the front edge of the new dwelling on plot 1 and the common boundary with No 52. This gap narrows to the rear to about a metre. Similarly, there is a gap of about a metre with the existing dwelling at No 54. Dwellings within the area vary but many are closely aligned with one another due to being terraces, attachment as semi-detached dwellings and limited separation just wide enough for rear pedestrian access. Within this context, this aspect of the development would be acceptable but nevertheless, this would not alter my findings on the unacceptability of the development as a whole.
9. For all these reasons, the development would harm the character and appearance of the area. Accordingly, the proposal would conflict with policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS) and policies G5 and H4 of the Guildford Borough Local Plan 2003 (LP).

Special Protection Area

10. The Thames Basin Heaths SPA would be accessible and attractive to future residents for recreation by reason of its accessibility. The SPA holds important populations of three bird species that nest on or close to the ground, namely Dartford warbler, nightjar and woodlark. Urbanisation has potential for significant adverse effects on the interest features of the SPA. Even small-scale recreational pressure can result in adverse disturbance to the nesting of these birds.
11. On this basis, the proposal would have a significant effect, either alone or in combination with other developments, through its urbanising effect. The nature conservation objectives of the SPA include maintaining favourable conditions for the populations of these birds protected under Annex 1 of the

Birds Directive. Having excluded the consideration of any mitigation measures, it cannot be ascertained that the proposal would not adversely affect the integrity of the designated site.

12. The Council's adopted TBHSPA Avoidance Strategy sets out reduction and avoidance measures. It indicates contribution requirements for Suitable Alternative Natural Green Spaces (SANGS) and Strategic Access Management and Monitoring (SAMM) mitigation measures which will be paid prior to development commencing. The required SAMM contribution will be used to employ wardens to patrol the SPA, for educating the public about the SPA and to monitor the on-going effectiveness of its strategy.
13. An incomplete S106 agreement has been submitted to secure these contributions. The submitted obligation is not signed by all parties and not dated. No other mechanism has been put forward to secure and implement any mitigation based on the Council's strategy. In terms of the Habitat Regulations, no alternative solutions have been put forward that would have a lesser effect, or avoid an adverse effect, on the integrity of the SPA, and nor do I consider any possible based on the nature of the proposal and the appeal documentation.
14. Priority species would be adversely affected by the proposal and there are no imperative reasons of overriding public interest for such a small-scale proposal. On this basis, the development would adversely affect the integrity of the SPA alone or in combination with other projects coming forward. For all these reasons, the proposal would conflict with policies P5 and ID4 of the LPSS, policy NE4 of the LP and policy NRM6 of the South East Plan (SEP) 2006.

Conclusion

15. The proposal would harm the character and appearance of the area and integrity of a SPA in conflict with LPSS, LP and SEP policies and the development plan taken as a whole. There are no material considerations to outweigh that finding. Therefore, for the reasons set out above, this appeal is dismissed.
16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR