



Appeal Decision

Site visit made on 4 September 2020

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2020

Appeal Ref: APP/Y3615/D/20/3254258

19 Waterden Road, Guildford GU1 2AN

- 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 Hay against the decision of Guildford Borough Council.
 - The application Ref 20/P/00211, dated 2 February 2020, was refused by notice dated 15 April 2020.
 - The development proposed is removal of part front wall, repositioning of defective stone pier, creation of new steps and planters and bin storage and cycle parking; new glass roof over side entrance and slate porch over main entrance.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Waterden Road Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Waterden Road Conservation Area (the 'CA').
4. The CA is located near to Guildford town centre, and is largely a High Victorian suburb, predominantly in residential use, characterised by large townhouses and villas set in substantial plots. The Waterden Road Conservation Area Study and Character Appraisal (the 'CACA') states that Waterden Road features some of the most imposing Victorian Gothic detached buildings within the CA. With strong vertical emphasis, mostly these are three storey detached houses with basements set in large spacious plots with large private front gardens bounded by low walls.
5. Given its design and appearance and the fact that the original front garden and stone boundary wall show little evidence of significant alteration, I consider the appeal property adds positively to the character and appearance of the CA.
6. It is proposed to remove a section of the existing stone wall and reposition the existing stone pier to widen the existing access at the front of the appeal site. In addition, works are proposed to alter the layout and level of the existing front garden to provide an area of hardstanding that would be used for the

storage of bicycles and refuse bins. Owing to the extent of the excavation works, new entrance steps would be provided as part of the development. In addition, the proposal includes the erection of a glass roof over the side entrance and a slate porch over the main entrance.

7. The National Planning Policy Framework (the 'Framework') advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and, the more important the asset, the greater the weight should be.
8. The designated heritage asset relating to this appeal is the Waterden Road Conservation Area.
9. Paragraph 194 of the Framework states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
10. The proposed development would result in the loss of a section of the original boundary wall and significant alterations to the front garden of the appeal property, including substantial excavations to create a large area of hardstanding. Given the location of the boundary wall and the front garden adjacent to the pavement, the extent of the works would be highly conspicuous when viewed from Waterden Road and would be an unsightly and prominent feature within the CA.
11. My attention has been drawn to several nearby properties within the CA that have undertaken similar works to their boundary walls and front gardens. Whilst I recognise that the existing developments are situated near to the appeal site, this type of alteration at the front of the historic dwellings is the exception rather than the norm on Waterden Road. In any event, the developments do not provide justification to allow further harm to the significance of the CA, which would result from the appeal proposal.
12. To this regard, I note that the Council's CACA states, "the removal of front gardens and walls often in order to provide parking, is having an adverse impact on the character of many buildings and the street scene".
13. For the collective reasons outlined above, the proposed development would neither preserve or enhance the character or appearance of the CA, and, thus, it would be harmful to the significance of the designated heritage asset. Nevertheless, I consider that the harm would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal.
14. The appellant explains that during the construction of the proposed development, defects within the remaining stone boundary would be repaired. Whilst this may be the case, this does not provide a compelling reason to allow the harm which would result from the appeal proposal. Indeed, no substantive evidence has been put forward to demonstrate why such repair works cannot be undertaken at the appeal property independently from the appeal proposal.

15. I recognise that the proposed development would provide a convenient location for the storage of refuse bins. In addition, the excavation of the garden level would increase the level of daylight and sunlight received to the basement level windows at the front of the property. However, such benefits would be principally private for the occupiers of the appeal property.
16. In terms of public benefits, the proposal would provide convenient and accessible cycle parking at the site. This in turn may increase cycle use by occupants of the appeal property, which would likely lead to a reduction in greenhouse gas emissions, when compared to the use of private motor vehicles for such journeys. This is an environmental benefit that weighs in favour of the proposal.
17. In addition, the reinstatement of the slate roof porch would represent a visual improvement when compared to the existing porch. However, this would not outweigh the significant harm to the character and appearance of the CA caused by the partial removal of the stone wall and works to the front garden of the appeal property.
18. Overall, such public benefits would be modest due to the quantum of development proposed. In addition, I note that bicycles can already be stored to the front of the appeal property, albeit that this is an informal arrangement and requires users to carry their bicycles up several steps. Consequently, I find that the public benefits would not be sufficient to outweigh the harm to the significance of the Waterden Road Conservation Area.
19. In conclusion, the proposal would, therefore, fail to preserve or enhance the significance of the designated heritage assets. As such, the proposal would not accord with Policies G5 and HE7 of the Guildford Borough Local Plan (2003) (the 'LP') and Policies D1 and D3 of the Guildford Local Plan: Strategy and Sites (2019), insofar as they require development proposals to achieve high quality design that responds to local character; and to conserve and, where appropriate, enhance the Borough's heritage assets. Accordingly, the proposal would also conflict with Chapter 16 of the Framework.

Conclusion

20. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Christopher Miell

INSPECTOR