



Appeal Decision

Site visit made on 27 October 2020

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th November 2020

Appeal Ref: APP/Y3615/W/20/3254297
26 Gardner Road, Guildford GU1 4PG

- 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 Sarah Morales-Cortes of Twenty Six Gardner Road Limited against the decision of Guildford Borough Council.
 - The application Ref 19/P/01854, dated 25 October 2019, was refused by notice dated 18 December 2019.
 - The development proposed is the erection of a detached two-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal the appellant submitted a completed signed planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) dated 21 October 2020. This deals with contributions towards mitigation against the impact of development on the Thames Basin Heath Special Protection Area (SPA). I will discuss this in more detail later in this decision.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the site and surrounding area;
 - the living conditions of occupiers of 26 Gardner Road with particular regard to outlook and sense of enclosure; and
 - the Thames Basin Heath SPA.

Reasons

Character and appearance

4. Number 26 Gardner Road (No 26) is a small semi-detached house, located on a residential cul-de-sac of similar semi-detached houses. Properties occupy narrow plots and are separated from each other by a narrow side passage. The houses are themselves also narrow and most feature front bay windows, a single first floor window and small front lightwells which gives them a symmetrical appearance. Entrance doors are, in the main, positioned on the

side elevation of the houses. Although there are some variations to properties, this stretch of Gardner Road has a distinctive and largely uniform character derived from the narrowness of properties and the symmetry of their front elevations. Beyond Numbers 5 and 34, both of which are detached houses, where the road doglegs, the character changes with properties becoming slightly larger.

5. The appeal site forms a side garden to No 26 which is an irregular shaped plot of land. It is situated at the end of the row of properties on the southern side of the street and adjacent to a turning head beyond which are driveways and rear gardens serving properties on Markenfield Road to the rear.
6. The proposed house would be two-storeys and occupy most of the width of this garden area and much of the depth of the plot. It would be separated from the host property by a narrow side passage and set in from its side boundary to the street by a narrow strip of garden. Due to the width of the proposed house and the proximity of its full height gable end to the side boundary, it would appear bulky and overly large within the constrained plot. This would be highly visible within the streetscene due to the prominent position of the site at the end of the row of houses.
7. The proposed house would have a pitched roof, ground floor bay window, lightwell, shallow front garden and contrasting brickwork, all of which are similar features to both the host property and the prevailing form of development along the street. However, its front elevation would be wider than other properties with which it would appear out of proportion. As such, it would jar with the characteristic narrowness of properties along the street. Furthermore, the additional first floor window and entrance door within the primary elevation would appear more cluttered and out of keeping with the symmetrical and uniform appearance of the surrounding development. As a consequence, the proposed house would appear anomalous within the streetscene and poorly related to the established character and appearance of the area.
8. Number 27a Gardner Road (No 27a) is a short distance from the appeal site on the same side of the street. It is a detached house located in a wider plot, featuring a front facing gable. Whilst of a different design to surrounding development, No 27a has a significant set back so that its main elevation, which features a characteristic bay window and single first floor window, is narrow and harmonises with the prevailing form of development. The appeal scheme by contrast, with its wider and more cluttered main elevation, does not achieve this degree of harmony.
9. The proposed house would be prominent when viewed from the east as it would form the end of the row of houses on one side of Gardner Road. However, this would be similar to the views of the host property. When viewed from the other direction, the narrowness of Gardner Road would restrict open views of the road and since the proposed development would follow the established building line it would appear as a continuation of the existing linear form of development. As such, I do not find that the proposed house would unduly draw the eye.
10. The appellant has subsequently obtained planning permission for a house on the site. The design of this approved scheme differs in that the main elevation of the approved house reflects the width of the neighbouring properties with a

set back single-storey element. The approved scheme features a ground floor bay window and a single window at first floor level. This reinforces and responds to the distinctive character of the surrounding area, unlike the appeal scheme.

11. I conclude that the proposed development would harm the character and appearance of the site and surrounding area. It would therefore conflict with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2019 and Saved Policy G5 of the Guildford Local Plan 2003 (Local Plan). These policies together require new development to achieve a high quality design that responds to distinctive local character, respects plot sizes, the relationship with other buildings, the scale of the surrounding environment and includes detailing that reinforces identity and character. It would also not accord with the National Planning Policy Framework (the Framework) which seeks well-designed places that are sympathetic to local character and maintain a sense of place.

Living conditions

12. The proposed house would be positioned to the east of the host property, separated from it by a narrow side passageway indicated to be just under a metre wide. Its rear elevation would be two-storeys and would form part of the boundary to the small area of retained garden serving No 26.
13. There is a large window in the side elevation of No 26 indicated to serve a dining room. Whilst the Council has indicated that the proposed house would cover almost the entire width of this primary window, this does not accord with the evidence submitted by the appellant which indicates that the rear elevation of the proposed house would terminate approximately at the edge of this window. This matches with my own observations during my site visit. Due to the proximity of the proposed house, there would be some loss of outlook from this window.
14. The height of the building on the garden boundary would result in a greater sense of enclosure of this small garden area. However, this space benefits from a southerly aspect and is separated from built development on Markenfield Road to the rear by the gardens to those properties. This goes some way to compensate for the loss of openness on the northern boundary of the garden.
15. I am mindful that the Council has granted planning permission for a detached house that would be the same depth and height on the boundary with No 26, although some 0.2 metres further away from the flank wall. The additional space between this flank wall and proposed development would result in a marginally more spacious development. However, I do not consider it would materially alter the extent to which the development would affect outlook and the enclosure of the garden.
16. On that basis, I conclude that the proposed development would not harm the living conditions of occupants of No 26, with particular regard to outlook and sense of enclosure. It would therefore not conflict with Saved Policy G1(3) of the Local Plan which requires the amenities of occupants to be protected from unneighbourly development. It would also accord with the Framework which requires new development to ensure a high standard of amenity for existing users.

Thames Basin Heath SPA

17. The appeal site lies within the 400 metres and 5 kilometres buffer zone of the Thames Basin Heaths SPA. This is protected as a European Site of Nature Conservation Importance and is subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. Regulation 63 prevents the competent authority from granting permission unless the proposal would not adversely affect the integrity of the European site. I am the competent authority for the purposes of this appeal.
18. The Council has determined that additional residential development would, in combination with other plans and projects, have a significant effect on these protected sites through increased dog walking and additional recreational pressures. In these circumstances, the Council considers that appropriate mitigation would be required. This is set out in the adopted Thames Basin Heaths Special Protection Area Avoidance Strategy which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Green Space (SANGS) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development.
19. The appellant has accepted the need to provide a contribution towards both SANGS and SAMM. The submitted section 106 agreement secures this.
20. Notwithstanding the Council's findings in respect of this, as the competent authority, I am required to carry out an appropriate assessment of the effect of the proposed development. However, as I have found that the scheme is unacceptable for other reasons, I do not need to pursue this matter further.

Planning Balance and Conclusion

21. The appeal scheme would provide an additional house within the urban area in a borough heavily constrained by Green Belt. This is a positive aspect of the scheme.
22. I have found that the scheme would not result in unacceptable harm to the living conditions of neighbouring occupiers. However, the proposed development would significantly harm the character and appearance of the site and surrounding area. As a result, the scheme would be in conflict with the development plan. I attach significant weight to this finding which is not altered or outweighed by my conclusions on the other issues.
23. For this reason, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR