
Appeal Decision

Site visit made on 9 December 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/Y3615/W/20/3256463

19 New Road, Gomshall, Surrey GU5 9LZ

- 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 Curran against the decision of Guildford Borough Council.
 - The application Ref 20/P/00489, dated 10 March 2020, was refused by notice dated 18 May 2020.
 - The development proposed is a dwelling in the garden, with new access road and parking. New brick cladding to elevations of existing 'Airey' house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Amended plans have been received with this appeal, which alters the design of the proposed dormer and also removes the balcony in response to the Council reasons for refusal. Although these amendments have not been through the usual planning application consultations the Council has had an opportunity to comment on them. Furthermore, considering the alterations from the original proposal the amendments would not unfairly prejudice any interested party by accepting these plans at this stage. As such, I have considered the amended plans with this appeal.
3. The site is within the Green Belt. However, the parties agree that the proposed development would infill a small gap within built development and would therefore represent limited infilling in Gomshall. As such this would meet one of the exceptions set out for appropriate development in the Green Belt as set out within the National Planning Policy Framework and Policy P2 of the Local Plan. I have no reason to come to a different conclusion on this matter.

Main Issues

4. The main issues are (1) the effect of the development on the character and appearance of the area, and (2) the effect on the living conditions of those at No 19 New Road and neighbours to the plot.

Reasons

Character and Appearance

5. The site is a residential plot on the rural settlement of Gomshall. The plot is on the edge of the village, with fields to the south. The area is characterised by detached or semi-detached dwellings with most fronting the village roads.
6. The host dwelling's plot is large, but its sub-division would result in a relatively small plot for both No 19 New Road and the proposed new dwelling. In an area characterised by spacious plots, this would result in much less space provided around the dwelling than most adjacent properties. However, there is some variety of plot sized in the wider area and so the proposed sub-division of the plot would not result in an overly cramped development in this setting.
7. No 19 is set back from the highway edge behind a front garden, with its frontage clearly visible from the highway. This is an arrangement that fits well within the character of the street. The proposed dwelling, however, would be set in a rearward position within what is currently part of the rear garden of No 19. With this layout, the proposed dwelling would not have a street frontage similar to the other dwellings that line this street. As such, this development would not respect the established and distinctive pattern of development within this area. It would appear at odds with the character and form of residential development in the surrounding area, where the vast majority of dwellings have a clear frontage facing the road.
8. The appellant has highlighted previous approved residential developments near No 19. Part of this is the dwellings developed on Millennium Place, which are positioned behind some of the dwellings on New Road. However, this is essentially a small cul-de-sac of dwellings which have a frontage with the Millennium Place road. This is not the same as proposed as the new dwelling would have no road frontage. The dwellings at Millennium Place therefore better reflect the character of this area. They are not an inappropriate form of backland development, such as that proposed at No 19. Having considered all the other examples raised by the appellant, my opinion on the prevailing character of this residential layout has not changed and therefore my conclusion remains that the development proposed would not reflect the established prevailing pattern of residential properties in this area.
9. The Council has also raised concern with the proposed dormer. Amended plans have been received with this appeal which has improved the appearance of the dormer. This dormer would not be particularly prominent within the street scene and I would regard the amended design as suitable. However, this does not overcome the issue of the position of the proposed dwelling in an inappropriate backland location.
10. There is also the proposed cladding of the 'Airey' dwelling of No 19. No objection to this aspect of the proposal has been raised by the Council and in my opinion this work is acceptable with no harm to the character and appearance of the area.
11. Overall, I have not found harm with regards to the cladding of No 19 or the proposed dormer, from a visual impact perspective. However, due to the position of the proposed dwelling, which would be incongruous within the setting of the surrounding residential streets, the development would be

harmful to the character and appearance of the area. The proposal is therefore in conflict with saved policy G5 of the Guildford Borough Local Plan 2003, and policies H1 and D1 of the Guildford Borough Local Plan 2015-2034. These policies require development to respond to distinctive local character, and to respond and reinforce locally distinct patterns of development, amongst other things.

12. For clarity, though I have found that the proposal would be harmful to the character and appearance of the area of the site, it would not be harmful to the wider rural character around Gomshall, given that the dwelling would be within the setting of this established village. As such, the proposal would have no harmful effect to the designated Area of Outstanding Natural Beauty or the Area of Great Landscape Value, with the visual impact likely to be more localised.

Living Conditions

13. The proposal includes a driveway through to the proposed dwelling at the rear of No 19. This would involve vehicles driving past the side boundary to the parking area proposed. Both the driveway and the parking area would be close to the side boundary of the plot with neighbouring properties. The Council is concerned as to the noise and disturbance as a result of vehicles driving in the rear garden, close to other rear gardens of neighbouring houses.
14. This would introduce some additional noise to the rear gardens of neighbouring houses, which may disturb occupants. However, this is a single dwelling proposed and it is unlikely that there would be a significant amount of vehicle movements through to the new dwelling most days. The frequency of the vehicle movements would not likely be sufficient to result in significant levels of disturbance through noise for neighbouring occupiers (including those at No 19) and would not result in harm to the tranquillity of the area to a substantial degree.
15. Amended plans have been received which omit the balcony from the proposed dwelling, thus sufficiently addressing the potential overlooking from this feature. Considering the layout of the windows and the location/distance from the boundaries of the proposed dwelling I conclude that it would not result in a significant adverse impact to neighbour living conditions.
16. On this issue, the proposed dwelling would accord with saved policy G1(3) of the Local Plan 2003, which requires development to protect the amenities currently enjoyed by occupants of buildings, for example.

Planning Balance

17. There are some benefits to the proposal, such as the provision of a new dwelling towards the area's housing land supply within an established residential area with some local shops and services. I also recognise this would be a self-build dwelling, intended for the appellant. However, the harm of a dwelling in this location would significantly and demonstrably outweigh such benefits.

Conclusion

18. For the reasons given above and in consideration of all matters raised, the appeal should be dismissed.

Steven Rennie

INSPECTOR