



Appeal Decisions

Site visit made on 6 September 2022

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 October 2022

Appeal A Ref: APP/Y3615/W/21/3289640

119 Portsmouth Road, GUILDFORD, GU2 4EB

- 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 N Pritchard against the decision of Guildford Borough Council.
 - The application Ref 21/P/00930, dated 27 April 2021, was refused by notice dated 3 November 2021.
 - The development proposed is extension to a listed dwelling.
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Appeal B Ref: APP/Y3615/Y/21/3289644

119 Portsmouth Road, GUILDFORD, GU2 4EB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr N Pritchard against the decision of Guildford Borough Council.
 - The application Ref 21/P/00931, dated 27 April 2021, was refused by notice dated 3 November 2021.
 - The works proposed are extension to a listed dwelling.
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Decision – Appeal A

1. The appeal is allowed, and planning permission is granted for extension to a listed dwelling, at 119 Portsmouth Road, Guildford, GU2 4EB, in accordance with the terms of the application, Ref 21/P/00930, dated 27 April 2021, subject to the conditions in the attached schedule.

Decision – Appeal B

2. The appeal is allowed, and listed building consent is granted for extension to a listed dwelling, at 119 Portsmouth Road, Guildford, GU2 4EB, in accordance with the terms of the application, Ref 21/P/00930, dated 27 April 2021, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

3. The appeals relate to the same proposal under different legislation. Appeal A is made in respect of the planning application and Appeal B in respect of the listed building consent. I have considered each appeal on its own merits.

Main Issue

4. The main issue for both appeals is the effect of the proposal upon the significance of the grade II listed building known as Braboeuf Cottage, 119 Portsmouth Road, and the character and appearance of the St Catherine's Conservation Area.

Reasons

5. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. Braboeuf Cottage dates from circa 1850. It has the appearance of a lodge; with a neat and carefully considered design, and numerous architectural details that give it a strong character. These include dutch gables, a decorative chimney, and a square oriel bay at the rear that projects out diagonally to straddle the northeast corner of the building. The well-ordered form of the building and its numerous architectural embellishments are primary contributors to its special interest.
7. The appeal building stands within St Catherine's Conservation Area (the CA). This focusses primarily on a length of Portsmouth Road, and the area around the appeal building represents the historic core of the CA, with numerous other historic buildings nearby. Although set back from the road, the dutch gable of the appeal building is a valuable part of the streetscene. The area also takes in open areas associated with St Catherine's Chapel and Braboeuf Manor. The area's historic core with its good mix of well preserved buildings, and the open areas are principle components of the CA that contribute to its character and appearance.
8. The appeal building has already been extended with a modest flat roofed two storey addition to its southern side. This provides a lower level entrance and WC and a ground level shower room. The proposal would see the appearance of this structure improved significantly by cladding it in hung clay tiles, which feature on the original building, and making other improvements to its fenestration. It would also be raised modestly in height to enable a more traditional parapet detail to be formed. Overall, the appearance and detailing of this existing addition would be significantly improved.
9. Behind this a further extension would be constructed at a low level. Although it would occupy a large area it would be arranged so that it would be visually distinct from the original building. It would not attempt to copy or mirror any of the fine details on the original building, but rather utilise a simpler palette of good quality materials to create something that would sit comfortably alongside the original building as a discreetly positioned separate entity.
10. The Council suggests that it would not be a subservient extension; however, the design makes the best use of the site's topography to the extent that the addition would largely be below ground level. It would be set back from the north elevation of the existing building, which would ensure that it would not be easily viewed on the journey from the road to the building's front entrance. From within the curtilage the ability to view the main building and extension together would be limited to the small area of garden to the north of the dwelling. From here it would sit low in the plot with what would appear to be a detached form, and the original building would remain the dominant entity. Its discreet siting would be enhanced by the proposed green roof, particularly as there would be opportunity to look over the top of the extension.

11. It would be possible to look towards the area of the extension from beyond the site to the north from Turnham Close. From this perspective also the extension would appear as a modest building that is seemingly detached from and much lower than the original building.
12. The Council is concerned about the extent of proposed stone facing that may appear heavy and bulky. The area of stone would be fairly limited, owing to the large areas of glazing that would serve the proposal. In any case, the existing building has a solid appearance that is derived from its areas of solid masonry and small openings with stone mullions. In this context I am satisfied that the solid to void ratio proposed would not appear out of place.
13. At the northwest corner of the extension the masonry would extend up beyond the parapet. Although this would raise the height of the extension, the additional height would be modest and still very low alongside the existing building. Furthermore, this small protrusion would echo the stack on the corresponding corner at the centre of the diagonal oriel bay, which would help the extension to assimilate with the existing building.
14. I accept that additional section drawings would be helpful to enable a better understanding of some of the details of the proposal, including the edge of the proposed roof. However, the drawings are sufficiently detailed at their 1:100 scale to enable a clear understanding of what the extension would look like and how it would relate to the existing building. Proposed materials are clearly expressed for the extension. I am satisfied that securing additional section details, including details of the materials, by imposing conditions would be appropriate in the event that the appeals are allowed.
15. The proposed extension would be close to the listed terrace at the rear, known as The Valley. It would have no impact on the front of the terrace, which is where the primary significance of the building lies. It would be visible from within the terrace when looking out to the rear. However, there is nothing before me to suggest that views in this direction are important or contribute to the significance of the building. Furthermore, views from this perspective would be over the low green roof, where the extension would not be prominent or obtrusive.
16. In terms of the CA, the proposal would have no impact on the important view of the building's front gable from the road. There would be incidental views of the extension from Turnham Close, but as I have already established the extension would appear as a modest addition. The existing building would remain the dominant entity, and as such I am satisfied that the proposal would preserve the character and appearance of the CA.
17. In summary, the proposal would not harm the significance of the listed building or the character and appearance of the CA. It would thus accord with the requirements of the LBCA and paragraph 199 of the Framework, which establishes that great weight should be given to the conservation of historic assets. It would also accord with Policy D3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (the LP), which seeks to ensure that the historic environment is conserved and enhanced.

Conditions

18. I have had regard to the list of planning condition topics suggested by the Council. I have considered these against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty.
19. I have imposed a condition to ensure that the existing trees at the site are protected during the course of the construction process to safeguard the character and appearance of the CA. This needs to be a pre-commencement condition to ensure that the protection is in place before work on site commences to properly protect the trees throughout the construction period.
20. I have imposed a condition to require further investigations to be carried out before the scheme is implemented to investigate the stability of the land. The land is higher than that to the south. As the proposal involves significant excavation it is necessary to ensure that the land conditions are properly understood to protect the dwellings at a lower level. This needs to be a pre-commencement condition to ensure that land conditions are understood before the scheme commences to ensure that any necessary measures are taken into account in its construction.
21. I have imposed conditions to ensure that the proposal is appropriately detailed and finished to avoid causing harm to the special interest of the listed building and to preserve the character and appearance of the CA.
22. I have imposed a condition to secure biodiversity net gain, to accord with the Framework and Policy ID4 of the LP. I consider this necessary as the scheme includes the loss of a portion of the existing garden. I have not extended this however to avoid disturbance to nesting birds during the construction process as this is a matter that is dealt with by other legislative regimes.
23. I have imposed a condition to limit the hours of construction to safeguard the living conditions of those who live near to the site.
24. I have decided not to impose a condition to limit the use of the flat roof to maintenance and repair. The roof is not designed for other uses and does not have direct access from any other part of the dwelling. As such I do not consider that such a condition is necessary.

Conclusion

25. For the reasons above, I conclude that the appeals should be allowed.

A Tucker

INSPECTOR

Schedule of Conditions

Appeal A Ref: APP/Y3615/W/21/3289640

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: E00, E01, E02, E03, E10, E11, E12, P02, P03, P11, P12, P01 Rev A and P10 Rev A.
- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the existing trees to the west of the dwelling and the appropriate working methods in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction – Recommendations (or an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the trees shall be carried out as approved and retained for the duration of the construction period.
- 4) No development shall take place until a site investigation of the nature and extent of any land instability has been carried out in accordance with a methodology which shall have previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development takes place. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development takes place.
- 5) No development above the lower ground floor level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the extension and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) No development above the lower ground floor level of the development hereby approved shall take place until details of the design of the parapets, including those to be added to the existing extension, and other roof edges including the junction between the edge of the solid roof and the linear skylight along the boundary have been submitted to and approved in writing by the local planning authority. Such details shall include plans/elevations/drawings at a scale of at least 1:10. The development shall be carried out in accordance with the approved details.
- 7) Before they are fitted, details of all new windows, doors and rooflights shall be submitted to and approved in writing by the local planning authority. These details shall include detail drawings of a scale of at least 1:5, showing profiles and reveal details or details of any upstand. The development shall be carried out in accordance with the approved details.

- 8) No development above the lower ground floor level of the development hereby approved shall take place until details have been submitted to and approved by the local planning authority to show how the proposal will deliver biodiversity net gain. Measures could include features for nesting birds and roosting bats. The development shall be carried out in accordance with the approved details.
- 9) Excavation and construction work shall take place only between 07:30 to 18:00 Monday to Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.

Appeal B Ref: APP/Y3615/Y/21/3289644

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) No works above the lower ground floor level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the extension and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 3) No works above the lower ground floor level of the development hereby approved shall take place until details of the design of the parapets, including those to be added to the existing extension, and other roof edges including the junction between the edge of the solid roof and the linear skylight along the boundary have been submitted to and approved in writing by the local planning authority. Such details shall include plans/elevations/drawings at a scale of at least 1:10. The works shall be carried out in accordance with the approved details.
- 4) Before they are fitted, details of all new windows, doors and rooflights shall be submitted to and approved in writing by the local planning authority. These details shall include detail drawings of a scale of at least 1:5, showing profiles and reveal details or details of any upstand. The works shall be carried out in accordance with the approved details.

END OF SCHEDULE