



Appeal Decision

Site visit made on 30 November 2022

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 JANUARY 2023

Appeal Ref: APP/Y3615/W/22/3292953

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 G Ahmad on behalf of ACC against the decision of Guildford Borough Council.
 - The application Ref 21/P/01967, dated 26 October 2021, was refused by notice dated 4 January 2022.
 - The development proposed is construction of 2x semi-detached dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised set of drawings, referred to as revision C, have been submitted as part of the appeal. I understand that these drawings were prepared to address the concerns of the neighbour at No. 52 Poyle Road and were submitted to the Council during the application process. However, these drawings are not referred to within the Decision Notice or Officer's Report. While the revised drawings only appear to provide additional information and not to amend the proposal itself, they have not been consulted on. Therefore, to ensure no parties are prejudiced, including the occupants of neighbouring properties, I shall determine the appeal on the basis of the plans which informed the Council's decision and are referred to on the decision notice. Furthermore, they would have had no bearing on my findings below.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions of future occupants, with particular regard to the amount of internal space, outlook and light; and
 - the integrity of the Thames Basin Heaths Special Protection Area.

Reasons

Character and Appearance

4. The appeal site appears to have previously been part of the garden space relating to 54 Poyle Road, which forms part of the section of Poyle Road at the entrance of The Cardinals. Given this, and that the road begins to bend at this

point, the appeal site reads as forming part of the houses relating to the entrance of The Cardinals. The proposed semi-detached dwellings would also have a similar scale, form and design and would use similar materials to these houses, which would strengthen their connection with this section of Poyle Road.

5. Most of the houses relating to the entrance of the Cardinals do not have any formal on-plot parking areas. Where there is on-plot parking to the front of these houses, the arrangements consist of single or tandem spaces that serve individual properties and maintain an open area of lawn. The houses are set back relatively far from the highway and there is very limited landscaping or upright boundary treatments in the front gardens. This creates an open and green character. The proposed shared parking area would therefore appear incongruous in the street-scene. With up to 6 vehicles parked in a group, it would be vehicle dominant, which would harm the open character of this section of Poyle Road. While the proposed trees and vegetation would help screen the vehicles, it would also exacerbate the harm to the open character.
6. I appreciate that the proposed parking arrangement, specifically the landscaping, seeks to overcome the reasons for refusal relating to a previous application. However, while it may address previous concerns and provide a safe parking layout and access, I have found it would harm the character and appearance of the area.
7. For the reasons above, the proposal would harm the character and appearance of the area. It would therefore conflict with Policies D1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (The Local Plan), Policies G5 and H4 of the saved Local Plan (2003) and the Residential Design Guide (2004). These seek to ensure all new development achieves high quality design that responds to local character. It would also conflict with the aims of the National Planning Policy Framework (the Framework) and the advice set out in the National Design Guide to create high quality, beautiful and sustainable buildings and places that are sympathetic to local character.

Living Conditions

8. Whether or not the bonus room would be used as a bedroom, the proposed semi-detached dwellings would fail to meet the technical housing standards – nationally described space standard (2015) (referred hereon as the space standards). I understand that the bedroom labelled as Bed 3 on the submitted plans, would only have a width of 2 metres, whereas the technical requirements of the space standards require that in order to provide one bedspace, a single bedroom is at least 2.75m wide. The space standard also requires built-in storage space to be provided yet none is shown on the submitted plans. The space standards have been put in place to ensure adequate living space, including storage space, is provided for future occupants. The failure of the proposal to meet these standards would therefore result in an unacceptable living environment for future occupants.
9. It may be possible to address the lack of built-in storage concerns by amending the internal layout without impacting on the size, bulk, and appearance of the proposal. However, there are no plans before me demonstrating how this would be achieved. I must determine the appeal based on the proposal before me and have found that the absence of any built-in storage would result in an unacceptable living environment for future occupants.

10. The site plan shows that there would be some planting close to the front of the proposed dwellings and the elevations show this planting to frame the ground floor window serving the living room. There are no details before me that set out the size and species of the plants proposed. Locating planting close to the front elevation of a dwelling, including under windows, is a fairly typical arrangement, and an outlook of planting and parked cars is not uncommon from the ground floor of a residential property. There would also be sufficient space between the proposed dwellings and the parking area that the parked cars would not be overbearing. A condition could be imposed to secure a landscaping scheme comprising plants of a size and species that would limit any encroachment of the living room windows and therefore maintain the light received. For these reasons, I do not consider that the proposal would result in an unacceptable living environment for future occupants in this regard.
11. Although I have found the proposed parking arrangement and landscaping would not detrimentally effect outlook or light, the shortcomings of the proposal to meet the space standards would result in an unacceptable living environment for future occupants. It would conflict with Policies H1 and D1 of the Local Plan, which seek, amongst other things, to ensure that all new residential development conforms to the space standards. It would also conflict with the aims of the Framework to create places with a high standard of amenity for future users.

Thames Basin Heaths Special Protection Area

12. The appeal site is located within 5kms of the Thames Basin Heath Special Protection Area (TBHSPA), and the Council have advised that the proposed development may adversely impact the TBHSPA due to the net increase in residential units on the site. To avoid any adverse impact, I understand that the Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and an Access Management (SAMM) contribution in line with the tariff within its annual updating of off-site contributions document.
13. There is no S106 Legal Agreement before me to secure these required contributions. Nevertheless, given I am dismissing the appeal due to the harm of the proposal on the character and appearance of the area and living conditions of future occupants, no pathways to significant likely effects on the TBHSPA would arise from my decision. I, therefore, do not need to consider this issue any further.

Conclusion

14. The proposal would conflict with the development plan, read as a whole. It has not been demonstrated that there are any material considerations of sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

Hannah Guest

INSPECTOR