



Appeal Decision

Site visit made on 28 February 2023

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2023

Appeal Ref: APP/R3650/D/22/3300288

Dawson Lodge, Lords Hill Common, Shamley Green, Guildford GU5 0UZ

- 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 Guy La Costa against the decision of Waverley Borough Council.
 - The application Ref WA/2021/03028, dated 7 October 2021, was refused by notice dated 6 May 2022.
 - The development proposed is a single storey side extension to provide a study.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension to provide a study at Dawson Lodge, Lords Hill Common, Guildford GU5 0UZ in accordance with the terms of the application, Ref WA/2021/03028, dated 7 October 2021, subject to the following conditions:
 - 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: DL PL 101 Rev A, DL PL 103 Rev A, DL PL 110 Rev A, DL PL 111 Rev A, DL PL 112 Rev A, DL PL 113 Rev A, and DL PL 105 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. A copy of the Waverley Borough Council Residential Extensions Supplementary Planning Document 2010 (the SPD) referred to within the decision notice has been requested and provided. The appellant would not be prejudiced by my consideration of its contents as it is a publicly accessible document.

Background and Main Issue

3. The appeal site is within the Green Belt. Policy RE2 of the Waverley Borough Council Waverley Borough Local Plan Part 1: Strategic Policies and Sites – 2018 (the Local Plan) indicates that the Metropolitan Green Belt will be protected against inappropriate development in accordance with the NPPF. Paragraph 147 of the Framework (the Framework) states that inappropriate development is by definition, harmful to the Green Belt. Paragraph 149 of the Framework guides that new buildings in the Green Belt should be deemed to be inappropriate. A stated exception to this is for the extension or alteration of a building provided

that it does not result in disproportionate additions over and above the size of the original building.

4. In respect of the effect of the development proposal on the Green Belt, the Council have found that the development proposals would comply with the requirements of Policy RE2 of the Local Plan and the Framework. I have been presented with no compelling information from which to conclude otherwise.
5. Against this background, I consider the main issue to be the effect of the development on the character and appearance of the area.

Reasons

6. The appeal site fronts onto Lords Hill Common (the Common). It is located within the rural settlement of Shamley Green and within an area of great landscape value. The site accommodates a large detached dwellinghouse known as Dawson Lodge. The house is one of several mainly detached and semi-detached dwellings in the area which address the Common.
7. A distinctive characteristic of the area and of the local landscape is its verdancy and the sense of openness within the Common, which is framed to several sides by an eclectic mix of dwellings. Many of the dwellings within the area are physically linked and/or closely located to neighbouring dwellings. A prevailing characteristic of the properties in the same frontage as Dawson Lodge is that despite variations in their appearance, design and siting, the houses occupy a large proportion of the width of the plots.
8. Since the original planning permission was granted for the construction of a dwelling on the appeal site, several other consents have been secured for alterations and additions to the dwelling. If the development subject of this appeal were implemented, a gap exceeding 1m wide would be retained between the side of the extension and the shared boundary between the appeal site and the neighbouring dwelling known as Brambles. A larger gap would be retained between the garage and Lords Hill Road on the opposite side of the house. The development proposals would not therefore result in the dwelling filling the full width of the plot. Instead, the ratio of building to plot width would be similar to that of other houses within the frontage between Avening Cottage and Dawson Lodge. In this respect, the development would not result in the overdevelopment of the site.
9. The proposed extension would be both substantially lower in height and width, and stepped back, from the main part of the house. As such it would be subservient both in its siting and scale to the host dwelling. Furthermore, from the public realm to the front of the house, the roof of the extension would appear to have a pitch and appearance similar to that of the host dwelling.
10. The house at Brambles is set further back from the Common and on higher ground than Dawson Lodge. Although the proposed development would reduce the distance between the buildings at Dawson Lodge and Brambles, the boundary hedgerow, which extends to the front of the appeal site, and which there is no proposal to remove, would continue to be the dominant feature within the gap between these buildings.
11. The proposed development would be clearly visible from public vantages to the front of the site. However, the resultant detached dwelling would continue to be of a scale and bulk which is similar to that of the nearby pairs of dwellings.

Consequently, the proposals would not conflict with policy RD1 of the Waverley Borough Local Plan 2002 (the Local Plan - 2002) where it requires development to be well-related in scale and location to existing development; to take account of the form and setting of the settlement; and which does not result in the development of land which by reason of its openness and physical characteristic makes a significant contribution to the character of the village. Nor would it conflict with Policy RE3 of the Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites – 2018 (the Local Plan – 2018) which required new development to respect the distinctive character of the landscape in which it is located.

12. I have not been provided with a copy of the village design statement. As such I cannot conclude that the development proposal would either comply or conflict with the advice contained within it.
13. For the reasons set out above, the proposed development would not harm the character and appearance of the area. Accordingly, and in this respect, it would not conflict with either policy TD1 of the Local Plan 2018, or policies D1 and D4 of the Local Plan 2002. These policies seek to ensure that development is of a high-quality design that responds to the distinctive local character of the area. They also require development to not harm the visual character and distinctiveness of a locality or area of landscape value, including important vistas and open spaces. In addition, and in respect of this main issue, the proposed development would not conflict with the parts of the SPD which relate to single-storey side extensions.

Other Matters

14. 2 Dawsons Cottages (number 2) shares a boundary with the appeal site. Number 2 forms part of the grade II Listed Dawsons Cottages.
15. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 199 of the Framework guides that when considering the impact of a proposed development on the significance of a designated heritage asset, in this case, the grade II Dawsons Cottages, great weight should be given to the asset's conservation.
16. The significance of Dawsons Cottages are its historic fabric, which comprises a substantially intact early c17 timber framed house, which was subsequently subdivided to form agricultural workers cottages. Addressing Lordshill Road and occupying modest plots, the setting of the Listed building is informed by the existing residential development around it as well as the adjacent wooded area.
17. The proposed development is both further from Dawsons Cottages and of a lower height than the main host dwelling. As such, it would preserve the setting of the heritage asset, and would not cause harm to the significance of the heritage asset or its setting. This being the case, the requirements at paragraph 200 and 201 of the Framework are not engaged.
18. The extension would be constructed on land which forms part of the garden of Dawson Lodge, and which is currently occupied by areas of hardstanding and maintained flower beds. No compelling evidence has been provided from which

to conclude that the proposal would be harmful to the ecological or biodiversity value of this part of the site.

19. Located between 2 dwellings within a frontage of existing residential development, I have no basis to conclude that the proposal would give rise to any harmful increase in light pollution over the Common.
20. Although a snap-shot in time, during my mid-week and mid-morning site visit I found Lordshill Road to be very lightly trafficked. The existing and proposed block plans indicate the provision of 3 external parking spaces as well as space for vehicles to manoeuvre within the appeal site. Therefore, and on the evidence before me, the proposal would not cause unacceptable harm to highway safety. In the absence of the provision of details of local parking standards, and given that the development subject of this appeal is for a single study, the parking provision is deemed to be sufficient, without causing a harmful increase in parking stress within the local area.
21. The privacy available to both existing and future occupiers of Brambles and number 2 would not be unacceptably harmed by the development proposals. This is largely due to the presence of the substantial intervening hedgerows; the absence of windows in the proposed side elevation of the extension, and the separation distance between the extension and the house and garden at number 2. For the same reasons, in addition to being single-storey and occupying lower ground than Brambles, there would be no harmful reduction in daylight available to the occupiers of these neighbouring properties.
22. Any noise and disturbance during the construction works would be likely to be of a temporary nature, and can be appropriately managed and controlled via other regulatory regimes.
23. If it is the intention of the appellant to subdivide the house to form 2 separate dwellings, then a separate planning permission would first be required. The development subject of this appeal does not contain any such proposal, and as such this matter is not considered further.

Conditions

24. The Council have suggested 3 conditions. The wording of conditions has been amended where appropriate. This is for the purposes of clarity and to meet the six tests outlined within paragraph 56 of the Framework.
25. The statutory condition which specifies the time period for the implantation of the permission is imposed. For clarity, a plans condition is also imposed, which identifies the plans to which this permission relates. A condition requiring the use of matching materials is also imposed to protect the character and appearance of the area.

Conclusion

26. For the reasons given above and having regard to the development plan as a whole and any other relevant material considerations, I conclude that this appeal should be allowed.

V Simpson

INSPECTOR