



Appeal Decision

Site visit made on 18 July 2023

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2023

Appeal Ref: APP/Y3615/W/23/3314128

86 The Mount, Guildford GU2 4JB

- 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 James Gross of The Orthodox Foundation of St. Michael against the decision of Guildford Borough Council.
 - The application Ref 21/P/01496, dated 3 July 2021 was refused by notice dated 13 July 2022
 - The development proposed is demolition existing bungalow and garage, and the construction of a new 2 storey dwelling (with room in the roof) with basement level and associated external works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Guildford Borough Local Plan: Development Management Policies (2023) (DMP) was adopted on 22 March 2023. As a result, Saved Policies G1(3) and G5 of the Guildford Local Plan (2003), referenced within the Council's reason for refusal in the decision notice, have been superseded by Policies D4 and D5 of the DMP. The main parties had the opportunity to comment on the relevance of these policies to the appeal proposal and, consequently, I have had regard to the policies in reaching my decision.
3. The Council has also provided a copy of Policy P6 of the DMP which relates to protecting important habitats and species. However, my attention has not been drawn to any words in it that are relevant to this appeal. In particular, I have not been made aware that the proposal could have potential effects on any area subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. In any event, given the harm that I have identified and that I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter further as it would not alter my findings on the main issues. The policy has therefore not been determinative in my decision.
4. The appeal submission includes a 'Street Elevations Height and Scale Assessment' which consists of existing and proposed streetscene drawings to provide context to the proposal. This was not before the Council at the time of its decision. It is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
5. In this case, the additional assessment depicts additional detail in relation to the proposal's impact on the streetscene, rather than any design amendments

to the proposal. For this reason, I consider that there would be no prejudice to any party by considering the additional drawings which make up the assessment. I have therefore determined the appeal on the basis of the additional drawings.

Main Issues

6. The main issues are:

- the effect of the proposal on the living conditions of the occupiers of 84a The Mount with particular reference to outlook; and
- the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions for neighbouring occupiers

7. The proposal would introduce a two storey building with minimal set back from the boundary with 84a The Mount (No 84a), which is positioned on land considerably lower than the appeal site. No 84a has a dormer window, which faces the appeal site, appears to supply a habitable room, and which is located in close proximity to the appeal site's boundary.
8. The existing bungalow's roof pitches sharply away, and its ridge is only marginally higher than the top of No 84a's dormer window. In contrast, the proposal would be significantly taller, and would have a greater depth than the existing bungalow. Views from 84a's dormer windows would look directly onto a largely blank sheer elevation.
9. As the proposal would be positioned close to the shared boundary its combined depth, height and proximity to the neighbouring dormer window means that it would be a dominant and oppressive feature for neighbouring occupiers. It would therefore have a harmful impact on the living conditions of the occupiers of No 84a with particular reference to outlook.
10. I note that there are nearby properties which are constructed in close proximity to their shared boundaries, in particular at 88 and 90 The Mount. However, in these instances the properties in question do not appear to be constructed in such close proximity to neighbouring windows which directly face blank, sheer elevations. As a result, they are not directly comparable. Therefore, their existence, does not lend weight to the proposal.
11. For the above reasons, I conclude that the proposal would harm the living conditions of the occupiers of No. 84a with particular reference to outlook. I therefore find that it would conflict with Policy D5 of the DMP. Amongst other aspects, this seeks to protect the living conditions of occupiers of neighbouring properties including in terms of the visual dominance and overbearing effects of a development.

Character and appearance

12. The site is located on the northern side of The Mount, which is a steeply sloping road. Properties are elevated above the public highway and often reached by stairs or steep driveways. The existing property is a bungalow with a subterranean garage and parking area positioned below and in front of it. Properties on this side of The Mount follow a strong building line and are

generally set back from the highway edge behind parking areas. This side of the road is residential in character and there are a mixture of detached bungalows and houses, in a variety of designs and facing materials. On the opposite side of the road is St Michael's chapel and a cemetery.

13. Both main parties agree that nearby properties, such as 88 and 90 The Mount have recently been redeveloped resulting in significantly larger properties than those that they replaced. The steep slope of the road means that site levels are higher at the adjoining house to the south-west, 88 The Mount (No 88) and lower to the north-east adjoining No 84a. The submitted 'Street Elevations Height and Scale Assessment' demonstrates that the proposal would continue a gentle transition in the heights of buildings along the road. Whilst it would be noticeably taller than No 84a, this relationship would not be unusual. For instance, No 88 is currently significantly taller in height than the existing bungalow on the appeal site.
14. The proposal's front facing gable and 'cat slide' roof form reflects the design of No 88. The cat slide roof's low eaves height would enable the roof to pitch sharply away from the shared boundary, reducing the proposal's bulk and ensuring that there would be sufficient open space between the neighbouring property. A pathway runs along the other side of the appeal site. This allows an offset from No. 84a that would prevent the proposal from appearing cramped within its plot.
15. Appropriate design innovation should not be discouraged. The variation of roof forms would break up the proposal's massing whilst creating visual interest. Overall, the proposal's contemporary design features, such as its fenestration, create an orderly and attractive design which would be a sympathetic addition to the streetscene.
16. The proposal's dormer window, whilst large, would be set back from the front elevation, which would help reduce its visual impact on the streetscene. Dormer windows are common features in the streetscene. For instance, No 84a has two large side facing dormers, and No 88 has a large, wide front facing dormer. As a result, it would not be an unusual or surprising feature within the streetscene.
17. The proposed building materials take cues from the St Michael's cemetery chapel opposite the site. For instance, the proposed oak shingle tile cladding is inspired by the oak timber shingle bell tower at the chapel. There is variation in the facing materials on neighbouring properties, which include a mixture of brickwork and render finishes. Consequently, the proposed materials would be appropriate given the variety of materials within the immediate site context.
18. Other properties on The Mount benefit from a greater level of screening by trees and vegetation than the appeal site does, and due to its increased height, the proposal is likely to be more prominent than the building it is replacing. However, as I have found that the proposal's design provides a suitable architectural response to its surroundings, the lack of screening would not result in harm to the character and appearance of the area.
19. For the reasons outlined above, I find that the proposal would comply with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (2019) and Policy D4 of the DMP. Together, these expect development to protect the character of the area, contribute to and enhance the natural and

local environment and to be visually attractive whilst maintaining a strong sense of place.

20. I also find no conflict with the Residential Design Guide Supplementary Planning Guidance (2004) which encourages locally distinctive design which respects and enhances local character. Neither do I find conflict with those principles of the Framework or Planning Practice Guidance that seek good design sympathetic to the local area.

Other Matters

21. The proposal would provide a home for a parish priest of the Orthodox Parish of St. Michael, Guildford, whom I understand have worshipped at St Michael's cemetery chapel since 1974. I understand that the existing bungalow has been vacant for a number of years since the parish lost their previous priest. The appellant considers that the proposal, which would provide a family home, will increase the chances of attracting a married priest with a family.
22. The appellant indicates that the proposal will be constructed to Lifetime Homes Standard, with features including enhanced disabled access, a disabled bathroom, and future internal lift provision. The proposal would also use materials sensitive to users with cognitive disabilities which affect a number of current parishioners. The appellant has also indicated that the proposal would adopt high standards for energy performance with zero-carbon technologies to minimise its carbon footprint. Be that as it may, these matters do not outweigh the harm I have identified.
23. I acknowledge that residential redevelopment in this location is acceptable in principle, and that the proposal would make more efficient use of a brownfield site. The proposal may be compliant with various other provisions of the development plan, for instance providing an acceptable standard of residential accommodation. However, the absence of harm or conflict with other relevant development plan policies is a neutral factor and does not weigh in favour of the proposal.
24. A number of neighbours have raised other concerns in relation to the development, such as in relation to future drainage problems and the potential impact on the local highway as a result of increased traffic. However, given my conclusions on the main issues and that the appeal is dismissed, there is no need for me to address these in further detail.

Conclusion

25. Whilst the proposal would not cause harm to the character and appearance of the area, I have found that it would harm the living conditions of the neighbouring occupiers with particular reference to outlook. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR