



Appeal Decision

Site visit made on 5 June 2024

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 JUNE 2024

Appeal Ref: APP/Y3615/W/23/3330966

Eversleigh, Lower Edgeborough Road, Guildford GU1 2DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Allpass of Space Solutions 2014 Ltd against the decision of Guildford Borough Council.
 - The application Ref is 23/P/00929.
 - The development proposed is demolition of existing block of flats (4 no.) and garage block (5 garages) and the erection of 4 new-build semi-detached houses, including the re-use of existing, altered dropped kerb and formation of new dropped kerb for access to new front drive.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing block of flats (4 no.) and garage block (5 garages) and the erection of 4 new-build semi-detached houses, including the re-use of existing, altered dropped kerb and formation of new dropped kerb for access to new front drive at Eversleigh, Lower Edgeborough Road, Guildford GU1 2DY in accordance with the terms of the application, Ref 23/P/00929, subject to the 12 conditions in the attached schedule.

Preliminary Matters

2. The appellant has submitted an amended plan at the appeal stage (203 Rev G) showing changes to the layout of bedrooms and bathrooms on the second floor. As these changes are entirely technical and internal, there would be no prejudice to any interested party if the amended plan was accepted. Therefore, I have considered it as part of my assessment.

Main Issues

3. The main issues are the effect of the proposed development on:
 - (a) the character and appearance of the surrounding area, including Waterden Road Conservation Area and the locally listed building known as Abbeyfield; and
 - (b) the living conditions of future occupiers of the development.

Reasons

Character and appearance

4. The western side of Lower Edgeborough Road falls within Waterden Road Conservation Area, an inner residential suburb of Guildford dating from the late 19th and early 20th centuries. The conservation area has multiple large,

detached properties with a variety of attractive architectural styles including Arts and Crafts. Lower Edgeborough Road is a wide throughfare with several examples of such properties along with more modern flats and houses. Building footprints are typically big, with front gardens and significant levels of vegetation. Materials vary but include tiled roofs, red bricks, and render. Historic properties can be three storeys tall such as Abbeyfield at 9 Lower Edgeborough Road next to the appeal site, which is a locally listed building dating from around 1900. It has a deep building footprint, as does the property at 13 Lower Edgeborough Road on the other side of the appeal site.

5. The appeal site at Eversleigh comprises a two-storey block of flats dating from the second half of the 20th century. It has a simple tiled and gable ended roof, with tile hanging at first floor and brick below. The building is set back from the road by a communal garden that contains lawn, mature trees, and shrubs that presents a green and verdant frontage. To the rear is hardstanding and a group of garages with an access drive that provides a larger gap to the side boundary with No 13 than the gap to the side boundary with Abbeyfield.
6. While the appeal site is on the eastern side of Lower Edgeborough Road, it nevertheless falls within the setting of the conservation area and Abbeyfield. Due to its recessed siting, green frontage, modest proportions and simple materials, the existing building has a neutral effect on the character and appearance of the area, including the conservation area and Abbeyfield.
7. The proposed replacement dwellings would occupy a similar front building line to the existing building. The footprint would be deeper than existing, but not dissimilar to Abbeyfield and No 13 either side. Due to the set back and existing properties and vegetation, the depth would not be obvious from the front. The dwellings would have a similar height and roof form to the existing building. While the rooflights would indicate an additional floor of accommodation, it would only be three floors in total and not unlike nearby properties. The rear dormers would be sizable with flat roof areas but would not result in an overly large built form for the local area or be very visible from the road.
8. There would be less of a gap to the side of the new dwellings, especially on the side with No 13 as the access drive would be removed. However, on both sides, there would be a reasonable gap to the neighbouring properties themselves, with considerable vegetation along the side boundary with Abbeyfield in particular. There would also be a gap in-between each pair of properties to avoid an excessively wide form of development.
9. The proposed plot widths would be narrow and would give the new dwellings extra vertical emphasis. However, such emphasis exists with nearby properties like Abbeyfield, and each dwelling would form part of a pair with a shared driveway to lessen the sense of narrowness. The detailed design would utilise more windows at first and second floor than the existing building, but they would be in proportion and of a simple and sympathetic design. The front entrance doors would be modest compared to the overall size of the elevation. There would be adequate articulation on the front and side elevations and the materials and design would be in keeping with the surrounding area.
10. The existing communal garden would be lost to parking. However, it is proposed to use grasscrete which would maintain a green appearance. Furthermore, mature trees on the front boundary would remain and planting would be reinforced where possible. These landscaping elements can be

secured by condition. There is a risk that the trees could be removed by future residents due to negative effects on the proposed parking spaces, but it is possible that crown reduction or similar works could be employed instead.

11. While the proposed development would be larger than the existing building and alter the relationship between the built form and its boundaries and neighbouring properties, it would not be overly prominent or out of keeping. In conclusion, it would have an acceptable effect on the character and appearance of the surrounding area, including Waterden Conservation Area and Abbeyfield as a locally listed building.
12. Therefore, the proposed development would accord with Policies D1 and D3 of the Guildford Local Plan Strategy and Sites 2015-2034 (LPSS) and Policies D4 and D18 of the Guildford Local Plan Development Management Policies 2023 (LPDMP). Amongst other things, these policies require high quality design that responds to distinctive local character and conserves and enhances the historic environment.
13. The development would also adhere to the National Design Guide 2021, the Guildford Residential Design Guide 2004, and chapters 12 and 16 of the National Planning Policy Framework (NPPF). These documents seek good design that has regard to matters such as layout, form, scale, appearance, landscape, materials and detailing, that has regard to context and identity, and sustains the significance of designated and non-designated heritage assets.

Living conditions

14. The second floor plan determined by the Council (203 Rev F) showed the size of the double bedrooms between 10sqm and 11sqm. The Nationally Described Space Standards require double bedrooms to be at least 11.5sqm. The appellant's amended plan (203 Rev G) reduces the size of the second floor bathrooms to ensure that the bedrooms would be 11.5sqm.
15. Based on this amended plan, the proposed development would have an acceptable effect on the living conditions of future occupants. Therefore, it would accord with LPSS Policy D1 which requires all new development to achieve high quality and inclusive design. It would also adhere to NPPF paragraph 135(f) which seeks places with a high standard of amenity for existing and future users.

Other Matters

16. The only windows on the side elevations above ground floor would serve bathrooms and so be obscured glazed. Those at ground floor would either be high level or screened by boundary fencing. Views from first or second floor rear bedroom windows would be oblique or screened by vegetation. Levels of noise and disturbance from the use of the proposed dwellings and the parking spaces are unlikely to be greater than normal domestic use. There would be some loss of light to and outlook from windows at neighbouring properties such as the side windows at No 13 and Abbeyfield, but adequate distances between built form would be maintained to avoid overly negative effects. Therefore, the proposed development would have an acceptable effect on the living conditions of occupiers of neighbouring properties and would not unduly interfere with the right to the quiet and private enjoyment of anyone's property.

17. The existing building could be retained and upgraded and its demolition would result in the loss of embodied energy and materials. However, conditions can address the need for appropriate waste management and sustainable construction methods to offset any adverse effects.
18. It should be possible to enter and leave the site in forward gear based on the proposed layout and parking arrangements, which would limit any negative effects on highway safety. This requirement can be conditioned. The use of grasscrete would allow drainage through the gaps in the concrete paving.
19. Reference has been made to an appeal decision at No 13 in 2017 which was dismissed due to vegetation loss, a cramped appearance and too much hardstanding. However, I do not have sufficient information on that scheme to make a fair comparison and have, in any case, assessed this proposal on its own merits.
20. The site is within the 400m-5km Thames Basin Heath Special Protection Area (SPA) buffer zone. New residential development in this zone has the potential, either alone or in combination with other projects, to have a likely significant effect on the integrity of the SPA through increased dog walking and recreational use. However, as the proposed development does not result in any net increase in the number of dwellings, such effects are unlikely. Therefore, it is not necessary for me to carry out an appropriate assessment or consider any avoidance and mitigation measures.
21. Concerns from an existing leaseholder about the loss of their home are noted, but this is a matter for the relevant parties to address rather than a planning issue. It would appear that adequate consultation has taken place with neighbouring properties based on the information provided by the Council.

Conditions

22. Conditions 1 and 2 are necessary for clarity and compliance. I have omitted the proposed street elevation drawing (209 Rev E) as it does not match with the other elevation drawings (205-209 all Rev F). Condition 3 is necessary to increase the biodiversity of the site and mitigate any impact from the development in accordance with LPSS Policy ID4 and LPDMP Policy P7. It is pre-commencement to understand the site's baseline before any works commence.
23. Condition 4 is necessary to ensure that the development takes waste hierarchy into account to manage waste. It is pre-commencement as waste will be generated as soon as any works start on site. Condition 5 is necessary to safeguard the visual amenities of neighbouring residents and the locality. It is pre-commencement to ensure the existing boundary treatments are considered and where necessary retained as part of any scheme.
24. Condition 6 is necessary to ensure that the scheme reduces carbon emissions and is pre-commencement to understand the baseline before any works begin. Condition 7 is necessary in the interests of character and appearance and to ensure materials with a lower carbon footprint are used.
25. Condition 8 is necessary in the interests of water efficiency. This part of the Building Regulations can only be secured via a planning condition. The Council's Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document 2020 notes the requirement in LPSS Policy D2 for new

development to meet the highest national standard which is currently 110 litres per day per person. Therefore, I am content that this condition meets the tests set out in NPPF paragraph 56.

26. Conditions 9-12 are necessary in the interests of highway safety and, in the case of Conditions 11 and 12, to promote sustainable modes of transport.

Conclusion

27. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Schedule of Conditions (12)

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev B, 100, 200 Rev H, 201 Rev H, 202 Rev E, 203 Rev G, 204 Rev F, 205 Rev F, 206 Rev F, 207 Rev F, 208 Rev F, 210 Rev E.
- 3) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby permitted.
- 4) No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority that demonstrates how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up to date throughout the development process in accordance with the established methodology.
- 5) No development shall commence until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority and maintained thereafter.
- 6) Prior to the commencement of development, SAP data shall be submitted and agreed in writing by the local planning authority. The SAP data must demonstrate that the scheme has followed a 'fabric first' approach in accordance with the Energy Hierarchy.
- 7) Prior to the commencement of any development, except demolition, a written schedule with details of the source/manufacturer, colour and finish, or samples on request, of all external facing and roof materials

- shall be submitted to and approved in writing by the local planning authority. This must include the details of embodied carbon/ energy (environmental credentials) of all external materials and demonstrate all materials will achieve A-A+ in the BRE Green Guide to Specification. The development shall be carried out in accordance with the approved details.
- 8) The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the local planning authority to demonstrate that this condition has been met.
 - 9) No vehicle shall access the site from Lower Edgeborough Road unless and until the proposed vehicular access to 'House A/B' and the modified access to 'House C/D' hereby approved have been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the local planning authority. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.
 - 10) The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.
 - 11) The development hereby permitted shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the local planning authority and thereafter retained and maintained.
 - 12) The development hereby permitted shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the site in accordance with a scheme to be submitted to and approved in writing by the local planning authority and thereafter the said approved facilities shall be provided, retained and maintained.