



Appeal Decision

Site visit made on 8 April 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 MAY 2025

Appeal Ref: APP/Y3615/W/24/3351022

Land east of 8 and 9 Culverlands Crescent, Ash GU12 6TD

- 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 Pawel Macios, of Dadadom Ltd, against the decision of Guildford Borough Council.
 - The application Ref is 24/P/00106.
 - The development proposed is proposed detached bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the banner heading above I have used the description of development taken from the Council's decision notice, as opposed to the application form, as it more accurately and succinctly describes that for which permission is sought.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - existing trees.

Reasons

Character and appearance

4. The appeal site comprises a small, undeveloped, grassed area of land located at the end of a residential cul-de-sac. The street comprises semi-detached bungalows of a largely uniform design. The dwellings are set back from the road by front gardens, and / or parking areas, which adds conformity and symmetry to the uniform pattern of development within the street scene.
5. The spacing between each pair of semi-detached bungalows adds to the spacious pattern of development along the road. The head of the cul-de-sac also has an open appearance due to the large frontage gardens of neighbouring properties and the undeveloped, grassed appearance of the appeal site.
6. Contrary to the current uniformity, the proposed detached dwelling would be at odds with the prevailing pattern of development within the established street scene. The new dwelling would also appear cramped within the plot, built up to each side boundary with a limited amount of space to the front and rear. As a

result, the proposed dwelling would sit uncomfortably within the uniform layout and appearance of the other properties in the area. It would also be harmful to the open appearance of the street scene.

7. In addition, the frontage of the site would be dominated by hardstandings, vehicle parking and bin storage, which would be stark and incongruous within the context of the open and relatively verdant appearance of the street scene.
8. For the reasons outlined above, the proposed development would be harmful to the character and appearance of the area. Therefore, it would not accord with the design aims of Policies D4 and D6 of the Guildford Borough Local Plan: Development Management Policies adopted 22 March 2023 (the DMP) which together and amongst other things seek high quality design that contributes to local distinctiveness, and bin storage should not detract from the overall design of the scheme.

Trees

9. There is a small row of trees beyond the rear boundary of the appeal site. The trees have a visual presence along the road and contribute to the verdant appearance of the area.
10. Due to the size constraints of the site, the proposed dwelling is likely to be relatively close to the adjacent trees. While I acknowledge that the outbuilding of a neighbouring property is also located immediately adjacent to the trees, it is not known how long that building has been constructed on the land. Nevertheless, the proposal is for a new dwelling and the appeal is not supported by a tree survey or a plan that accurately plots the adjacent trees. Without such information, I cannot conclude with any degree of confidence that the proposal would not result in harm or loss of the visually significant trees. There is also limited opportunity for replacement tree planting within the site to compensate for any potential tree loss.
11. Consequently, I conclude that the proposed development would be harmful to existing trees and would therefore fail to accord with Policies P6 and P7 of the DMP, which together and amongst other things, seek to ensure the retention of significant trees and habitats.

Other Matters

12. The Council's third reason for refusal refers to the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA), protected pursuant to the Conservation of Habitats Regulations 2017. Had I found no harm in respect of the main issues, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects of the proposal on the SPA. However, as I have found that permission should be refused for other reasons, this matter need not be considered any further in this case.
13. No objections have been raised with regards to the effect of the proposal on neighbouring living conditions or the living conditions of future occupiers. Nonetheless, these are requirements of planning policy and taken together they are neutral matters that carry limited weight.
14. The creation of an additional, energy efficient home would contribute to boosting the supply of new housing, as referenced in the National Planning Policy Framework. I also acknowledge that there would be social and economic benefits

to local services during the construction phases without conflict with neighbouring land uses. However, for one dwelling this is only a very minor benefit. Therefore, taking the above matters into consideration, the benefits would not outweigh the identified harm that would be caused to the character and appearance of the area and existing trees.

15. I acknowledge the appellants comments that the land registry confirms that a residential building can be constructed on this plot. I also acknowledge the appellants concerns with regard to the lack of communication from the planning case officer and the delay in issuing the decision. However, in both respects, I confirm that I have considered the proposed development on its planning merits.

Conclusion

16. The proposed development conflicts with the development plan when read as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
17. For the reasons given above, I conclude that the appeal should be dismissed.

N Bromley

INSPECTOR