



Appeal Decision

Site visit made on 6 October 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th December 2025

Appeal Ref: APP/Y3615/W/25/3369260

1 Guildcroft, Guildford, Surrey GU1 2JU

- 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 and Mrs Reddy against the decision of Guildford Borough Council.
 - The application Ref is 25/P/00188.
 - The development proposed is erection of a two storey, self-build dwelling including vehicular access and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a two storey, self-build dwelling including vehicular access and landscaping at 1 Guildcroft, Guildford, Surrey GU1 2JU in accordance with the terms of the application, Ref 25/P/00188, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development differs from that on the application form, but was agreed with the Local Planning Authority (LPA). I have therefore used the agreed description of development which adequately describes the proposal and I do not consider either party to be prejudiced by the use of this description.
3. Following the granting of planning permission (25/P/00969) for a 2m high boundary fence abutting the footway with Epsom Road, the LPA have confirmed that it will not be defending reason for refusal 2. I see no reason to disagree, the proposed fence would provide adequate privacy for future occupiers.
4. The appellants have submitted a Unilateral Undertaking (UU) to secure contributions towards Suitable Alternative Natural Green Space (SANG) and towards access management of the Thames Basin Heath Special Protection Area (SPA). The LPA has confirmed its acceptance of the UU and that it will not be defending reason for refusal 3. I return to this matter below.
5. The appellants submitted a signed UU dated 17 November 2025 which secures the property as a self-build dwelling for Biodiversity Net Gain (BNG) exemption purposes. The Council has confirmed its acceptance of the UU. I will return to the UU later in my decision to deal with the tests identified in paragraph 58 of the National Planning Policy Framework (the Framework).

Main Issue

6. The remaining issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The appeal site is the side garden to 1 Guildcroft. 1 Guildcroft comprises a detached two-storey residential dwelling set within a private cul-de-sac of 8 dwellings, the majority of which were built to a similar design and using similar materials. The appeal site is enclosed by trees to the rear, hedging and close boarded fencing.
8. The site is located on the corner of Epsom Road and Guildcroft and land levels fall sharply from south to north. It is located within the settlement boundary and is surrounded by residential development.
9. The proposal is for the erection of a detached, two-storey self-build dwelling with vehicular access and parking to the front of the site created from the side garden of the host dwelling.
10. The overall character of the area is residential with predominantly detached dwellings set back from the road in varying degrees. There is variation in the height, design and materials of the dwellings along Epsom Road.
11. The location of the appeal site on the corner of Epsom Road and Guildcroft would be prominent within the street scene. However, the proposal would be positioned with space between the side of the dwelling and Epsom Road for a boundary fence and planting which would soften the appearance of the proposal from Epsom Road and be sufficient to maintain the open appearance of the area. The proposal would also be positioned at a lower ground level than Epsom Road which would help to reduce the prominence of the proposal from Epsom Road.
12. There is no uniform spacing between the dwellings within Guildcroft due to the staggered positioning of the dwellings around the cul-de-sac and some of the dwellings have been altered from their original construction.
13. The properties located along Epsom Road vary in distance from the edge of the pavement and set back from the highway. The gap between the proposal and edge of the pavement is smaller than other properties along the north side of Epsom Road. However, there is a commercial property to the west of the appeal site which is closer to the pavement than the appeal site and some of the properties on the south side of the road are positioned on the boundary with the pavement. Taking all properties and both sides of Epsom Road into account there is an absence of uniformity in relation to proximity to pavement or a strict building line within which the proposal would need to conform. Consequently, the proposal would integrate satisfactorily into the streetscene.
14. The subdivision of the site would not lead to a density of development that would be out of character with other properties within Guildcroft to which the appeal site most closely relates, or to the wider area.
15. The size of the footprint in relation to plot size, density of the site and amount of built form would be consistent with properties within Guildcroft and the wider area.
16. Whilst it is noted the plot width for the proposed development would be smaller than any other plot widths within Guildcroft, the difference is not large and would not be noticeable when viewed within the context of the cul-de-sac due to the staggered layout of the plots around the hammer head of the cul-de-sac.

Furthermore, there would be sufficient space for planting to the side of the dwelling adjacent to Epsom Road maintaining the verdant characteristics of the area.

17. The proposed dwelling would have a hipped roof sloping away from Epsom Road to reduce the scale, bulk and mass of the proposal and would be constructed to a similar design and with materials to match those found on neighbouring dwellings.
18. In conclusion, for the reasons given above, the proposal would have no materially significant impact on the character and appearance of the area and would comply with Policy D1 and H1 of the Guildford Borough Council Local Plan: Strategy and Sites (LPSS) 2015-2034 and Policies D4, D6 and D8 of the Guildford Borough Local Plan Development Management Policies (LPDMP) 2023. Together these policies seek to provide a choice of residential homes of high-quality design that responds to local character.

Other Matters

19. My attention has been drawn to the potential impact of construction vehicles on highway safety and the physical condition of Guildcroft Road. I have attached a condition requiring the submission of a Construction Management Plan to control the traffic movements associated with the construction of the development. No objections to the level of parking provided on site, or any impact on highway safety have been raised by the LPA and I have not been provided with any compelling evidence that would lead me to a different conclusion.
20. Third parties have raised concern that the proposal would cause overshadowing and a loss of privacy to the host dwelling. However, I have not been provided with overriding evidence that the proposed dwelling would have a significant detrimental effect on the living conditions of the occupiers of the host dwelling through overshadowing or loss of privacy that would warrant a refusal on those grounds.
21. A third party has raised concern over a potential for an increase in flood risk due to an increase in area covered by hardstanding. In order to address this a condition is requesting an appropriate surface water drainage scheme is required.
22. It is unfortunate that there has been the removal of trees on the site, however, no trees protected by a Tree Preservation Order have been removed. Any remaining trees will be protected via a condition requiring details of tree protection to be agreed with the LPA. The appellants have planted additional hedgerow between Epsom Road and the fence to soften the appearance of the development from Epsom Road and provide opportunities for enhancing biodiversity. A biodiversity enhancement plan is also required to be submitted as a planning condition.
23. The outdoor amenity space associated with the proposal is adequate in area and will be screened from Epsom Road by a 2m high fence. Although the site is set at a lower ground level than Epsom Road, the rear garden for the proposal provides usable amenity space, despite any changes in ground levels.
24. The proposal would be for a self-build dwelling and this has been secured through a UU. I am satisfied that the UU is necessary to secure the BNG exemption, directly related to the development and fairly and reasonably related in scale and kind to the development.

Appropriate Assessment

25. The appeal site falls within the 5km zone of influence for the Thames Basin Heaths Special Protection Area (TBHSPA), which is a European Site as defined by the Conservation of Habitats and Species Regulations 2017 (as amended). The TBHSPA is a heathland that is designated for its network of important bird conservation sites and, in particular, its populations of internationally rare bird species such as the Dartford warbler, European nightjar and Woodlark.
26. The conservation objectives for the TBHSPA are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring the populations and distribution of the qualifying features (the three bird species) and the extent, distribution, structure and function of the habitats of the qualifying features and the supporting processes on which these habitats rely.
27. The principal pathways of impact on the TBHSPA from developments relate to additional visitor and recreational disturbance. The proposal would result in 1 new dwelling and given the susceptibility and vulnerability of the qualifying features of the TBHSPA to such uses, particularly when considered in combination with other local development, the proposal would likely have a significant effect on the TBHSPA due to increased disturbance through recreational activity. I must therefore consider whether measures could be put in place to avoid or mitigate these impacts.
28. Policy P5 of the LPSS requires proposals to demonstrate that the proposal would not give rise to adverse effects on the ecological integrity of the TBHSPA. Such measures are to be agreed with Natural England. The Council has a long-standing mitigation strategy which has been agreed in principle by Natural England which includes a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Accessible Natural Greenspace (SANG). The Council will collect developer contributions towards avoidance and mitigation measures including SAMM and SANG. The SAMM project includes a monitoring programme and access management element focusing on non-infrastructure measures such as wardening, leaflets and educational material.
29. The appellants have provided a signed UU through the appeal process which secures a financial contribution towards a SANG and SAMM in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017 which has been formally adopted by the Council. The Council has confirmed that the UU would secure the contributions, and on this basis, considers the appeal scheme would secure adequate mitigation against any likely significant effect on the SPA arising from the development.
30. Natural England has been consulted as part of this Appropriate Assessment and is content that the measures secured by the UU would mitigate the adverse effects associated with the proposed development and thereby relieve pressure on the TBHSPA. As the competent authority, I am satisfied that the measures funded in this manner would secure and ensure the delivery of mitigation sufficient to address the harm likely to be caused by the development.
31. Taking account of the consultation response from Natural England, and the approach to the application of mitigation measures set out in the Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning

Document and Special Protection Areas Tariffs Supplementary Planning Document, I am satisfied that the financial contribution is necessary to make the proposed development acceptable in planning terms. The obligation would contribute towards the provision of SAMM and given the location of the appeal site within 5km of the protected site, the contribution is directly related to the appeal scheme. In addition, as it relates to a standard charge based on the scale and type of residential development proposed, I consider it to be fairly and reasonably related to the proposal in scale and kind. The UU therefore complies with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 58 of the National Planning Policy Framework (the Framework).

32. For the above reasons, I therefore conclude that the proposal would not have an adverse effect on the integrity of the TBHSPA. It follows that the proposal would comply with the Conservation of Habitats and Species Regulations 2010 (as amended) and Policy 5 of the LPSS which requires adequate measures are put in place to avoid or mitigate any potential adverse effects on the TBHSPA.

Conditions

33. I have had regard to the list of suggested conditions provided by the Council alongside those suggested by consultees and have considered these in light of the Framework and the Planning Practice Guidance (PPG).
34. For the avoidance of doubt, conditions relating to the time frame for implementation of the permission, the plans and materials have been imposed.
35. To ensure the development takes into account the waste hierarchy, a condition is imposed requiring a site waste management plan.
36. To enhance the site biodiversity, a Biodiversity Enhancement Plan is required to be submitted.
37. To protect the living conditions of neighbouring residents, conditions requiring details of the Air Source Heat Pump and the management of construction traffic are required.
38. To ensure the development does not increase the risk of flooding on or off site a condition is required regarding the provision of an appropriate surface water drainage scheme.
39. To protect the trees on site in the interests of the visual amenities of the area, details of tree protection measures are required.
40. To encourage sustainable methods of transport, details of facilities for high quality, secure, lit and covered bike parking and charging shall be provided.
41. To ensure the proposal minimises carbon emissions and follows a fabric first approach and is energy efficient, details of the solar panels shall be provided.
42. To protect the living conditions of the proposed occupiers, a condition requiring the erection of a 2m tall close boarded fence on the southern boundary of the site is required. This has been granted planning permission by the LPA under a separate permission. I have also imposed a boundary treatment condition for the remaining boundaries in the interests of the visual amenities of the area.

Conclusion

43. For the above reasons, the proposal accords with the development plan when read as a whole. I therefore conclude the appeal should be allowed.

C Coles

INSPECTOR

Schedule of conditions

- 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 drawing nos:
Location Plan
1755/S-01.A - Existing Site Plan
1755/S-02 - Existing Plans
1755/S-03 - Existing Elevations
1755/S-04.A - Existing Street Scenes
1755/P-101 - Proposed Site Plan
1755/P-102 - Proposed Plans
1755/P-103 - Proposed Elevations and Site Section
1755/P-104 - Proposed Street Scenes
- 3) No development (including demolition, groundworks and construction of the vehicular access(es)) shall commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the LPA. The SWMP shall make all reasonable attempts to accord with the DEFRA Non-statutory guidance for site waste management plans (2008). The details shall include:
 - A) any waste generated by construction, demolition and excavation activities is limited to the minimum quantity necessary;
 - B) opportunities for first, re-use and secondly, recycling of construction, demolition and excavation waste on the application site are maximised; and
 - C) sufficient on-site facilities to manage waste (storage, reuse and recycling) arising during the operation of the development of an appropriate type and scale will be provided and maintained for the duration of the development.

The SWMP will subsequently be kept up-to-date throughout the development process in accordance with established methodology. The SWMP measures shall be implemented and maintained for the course of the development works.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the LPA. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the LPA. The design must satisfy the SuDS Hierarchy and be compliant with the NPPF and the accompanying PPG. The development shall be implemented in accordance with the approved scheme and maintained thereafter.
- 6) Prior to the commencement of any development above slab level works, 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 LPA. This must include details of reasonable efforts for all external materials to be locally sourced. The development shall be carried out using only those external materials detailed.
- 7) Prior to the installation of the Air Source Heat Pump, details shall be submitted to and approved in writing by the LPA. Details should include:
 - a) The findings of a noise survey (undertaken in accordance with MCS 020a) or BS 4142:2014 +A1:2019 assessment or such other standard acceptable to the LPA) to determine noise levels in the vicinity of the proposed development;
 - b) Written details and calculations showing the likely impact of noise from the development;
 - c) If needed a scheme of works or such other steps as may be necessary to minimise the effects of noise from the development; and
 - d) The development shall not commence until written approval of a scheme under c) above has been given by the LPA. All works forming part of the scheme shall be completed before the Air Source Heat Pump is operational.The approved details shall thereafter be implemented and maintained in accordance with the approved details.
- 8) The approved Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by SouthOaks Arboricultural Consultancy (Revision 2), must be adhered to in full, and may only be modified by written agreement from the LPA. No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.
- 9) The development hereby approved shall not be first occupied unless and until facilities for high quality, secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the LPA and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the LPA.
- 10) The development hereby permitted shall achieve or improve upon the values for building fabric energy efficiency and airtightness set out in the SAP report dated 10/06/2024. An air source heat pump shall be installed and made operational as the primary heating and hot water system prior to the first

occupation of the development. The development shall be built in accordance with the approved details and thereafter maintained.

- 11) Prior to installation, details of the solar panels for the development shall be submitted to and approved in writing by the LPA. The details shall set out for each unit:
- a) the total solar PV capacity (kilowatts peak);
 - b) number of panels;
 - c) orientation of panels;
 - d) demonstrate that the capacity has been reasonably maximised;
 - e) and provide a roof plan and elevations showing the panels.

The development shall be implemented in accordance with the approved details and maintained as operational thereafter.

- 12) Prior to first occupation of the development hereby approved, details of boundary treatments shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in perpetuity.
- 13) Prior to first occupation of the development hereby approved, a Biodiversity Enhancement Plan shall be submitted to and agreed in writing by the LPA. The approved scheme shall be implemented in full prior to the occupation of the development hereby approved and retained thereafter.
- 14) The development hereby permitted shall not be occupied until the 2m tall close boarded fence on the southern boundary of the site has been erected in accordance with the proposed site plan (1755/P-201.A) for planning permission reference 25/P/00969.

End of Schedule