

5 Proposed Development

5.7 Rear Building - Landscape, Amenity & Parking

The revised scheme proposes relocating the communal amenity space immediately adjacent to the front building, whilst retaining allocated parking and a communal bin store to the middle of the site.

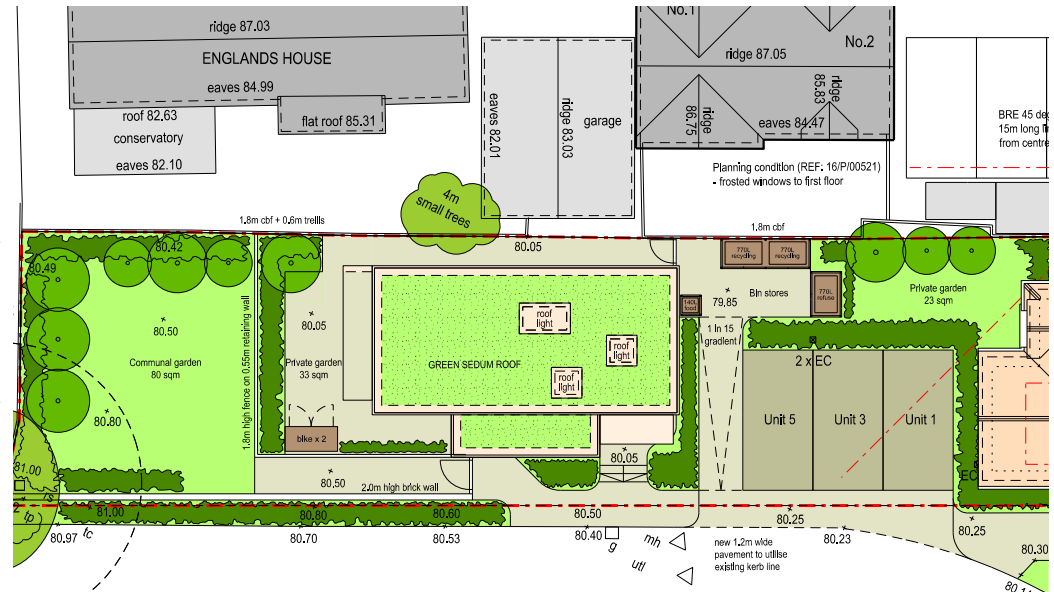
The parking and pedestrian areas would include permeable paving, with all landscape or boundary features either side of the parking area being kept lower than 600mm high to avoid any visual restrictions when exiting the site.

The rear building retains a wildflower sedum roof but has been redesigned to include a more condensed built footprint, minimising the overall length of this dwelling. This allows the inclusion of a more generous rear garden to Unit 5 in addition to more substantial planting along the boundary with Mount Pleasant which effectively doubles in width to 1.8m.

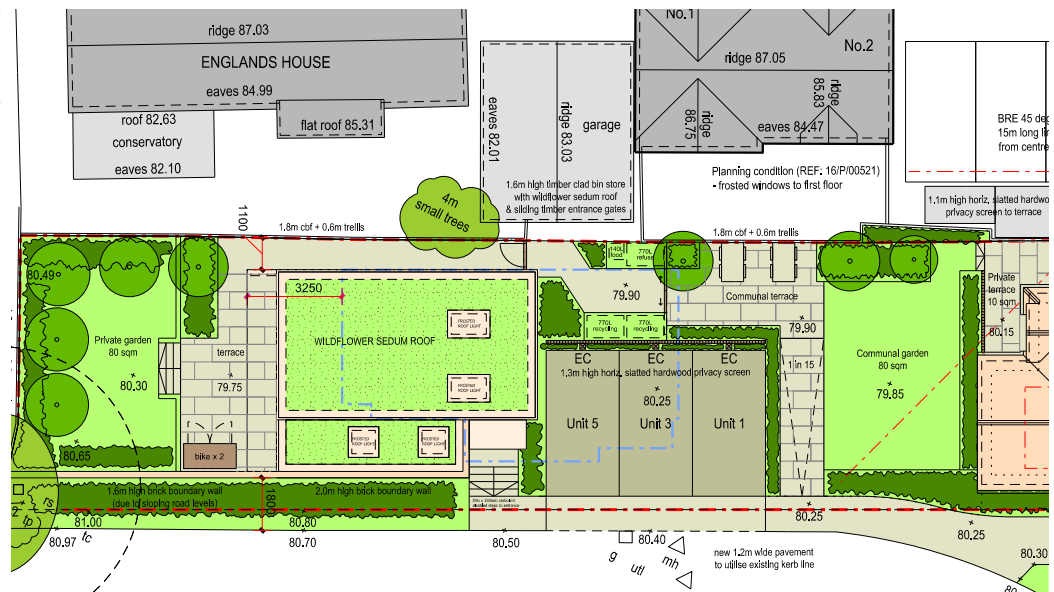
The adjacent plans demonstrate how the revised footprint of Unit 5 projects only 3.75m further to the left in comparison to the previous scheme.

To mitigate any further visibility from Englands House, the proposed profile / roof height of the building has been reduced by 350mm, dropping the FFL of this dwelling from 80.05m down to 79.75m. The clear internal ceiling height of this unit has also been reduced to 2.3m, with larger areas of fenestration overlooking a much improved private walled garden.

Please note that the following section on scale and massing demonstrates how the proposed design amendments avoid any detrimental impact upon Englands House and its rear amenity space.



REFUSED scheme 21/P/02646 - Landscaping to REAR of site



- NEW scheme

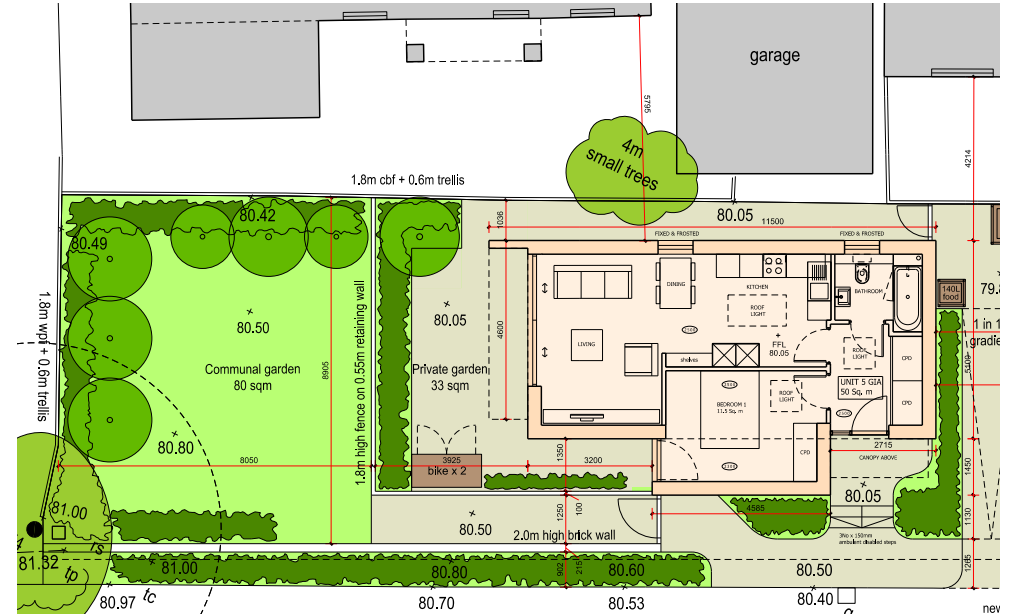
5 Proposed Development

5.8 Rear Building - Internal Layout

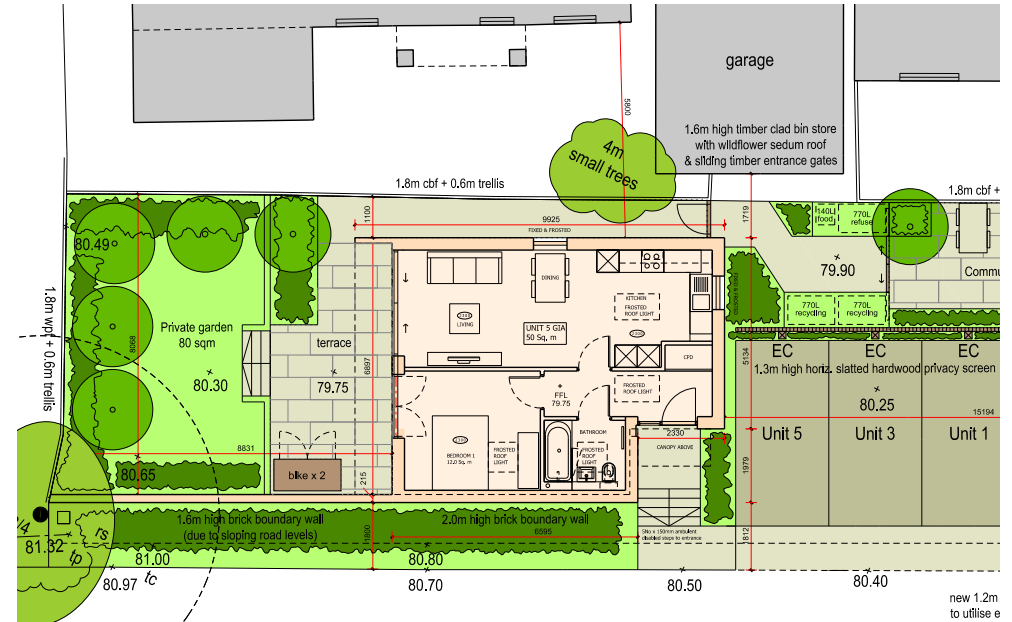
The internal floor layout of Unit 5 is similar to the previous application with a combined living, dining, kitchen space and double bedroom facing into a private walled garden.

The revised layout includes full height sliding doors to the living room and french doors to the bedroom to provide ample natural light and access to the garden.

The proposed internal layout would be fully compliant with the requirements of the Technical Housing Standards - Nationally described space standards.



REFUSED scheme 21/P/02646 - Unit 5 ground floor plan



- NEW scheme

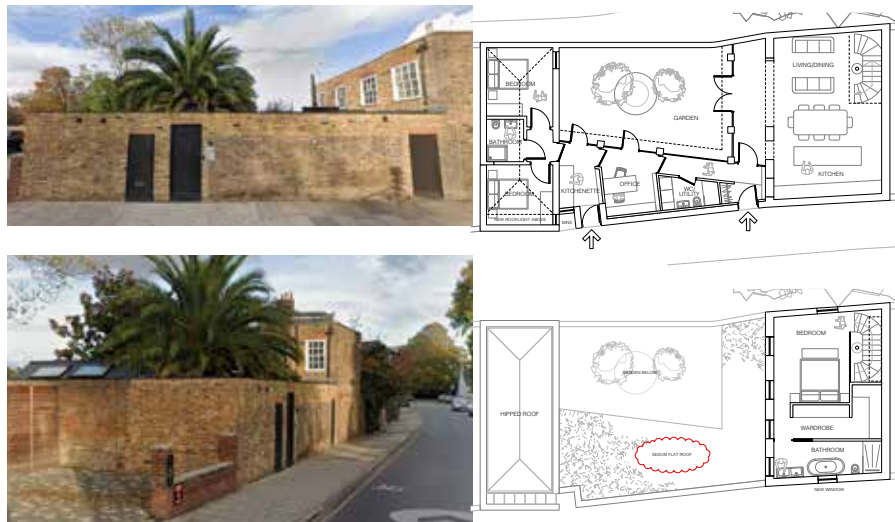
5 Proposed Development

5.9 Rear Building - Scale & Massing from Mount Pleasant

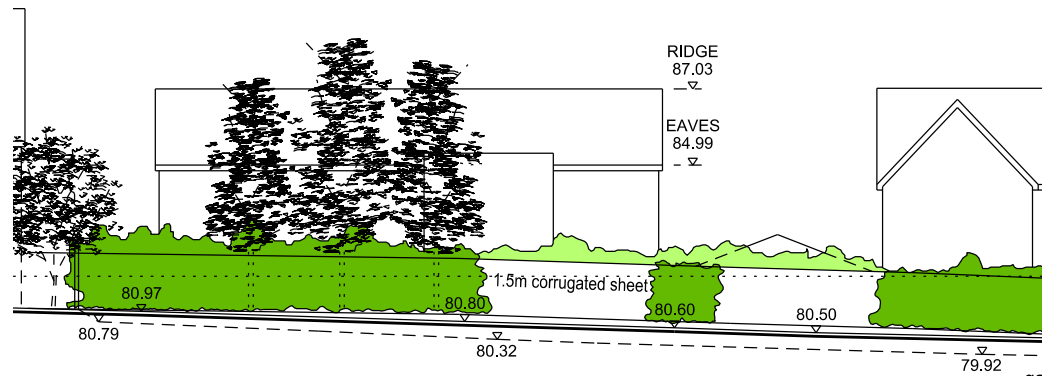
Although the appeal inspector concluded that the scale and massing of Unit 5 was previously acceptable, the revised application further lowers the height of the building by another 350mm. This avoids any additional impact upon Englands House from the additional 3.75m projection of the proposed footprint.

The height of the brick boundary wall running parallel with Mount Pleasant remains identical to the previous application however, the lowered profile of Unit 5 allows the flat roof of the bedroom / bathroom element to align with the top of the boundary wall. This would effectively screen this element from view, further reducing the perceived massing of Unit 5.

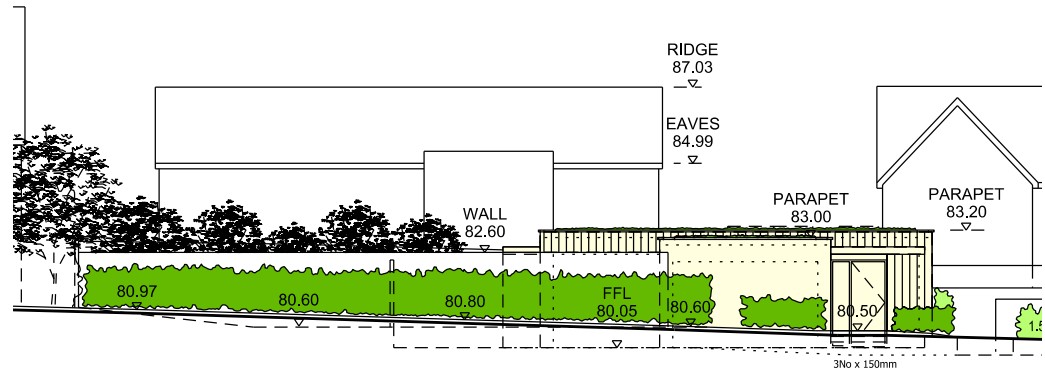
The below design precedent in Hampton Court demonstrates a similar arrangement whereby a new extension was hidden from view behind a 2m high brick boundary wall by incorporating a finished floor level lower than the adjacent pavement. Careful detailing was also employed via a very fine metal coping to the parapet.



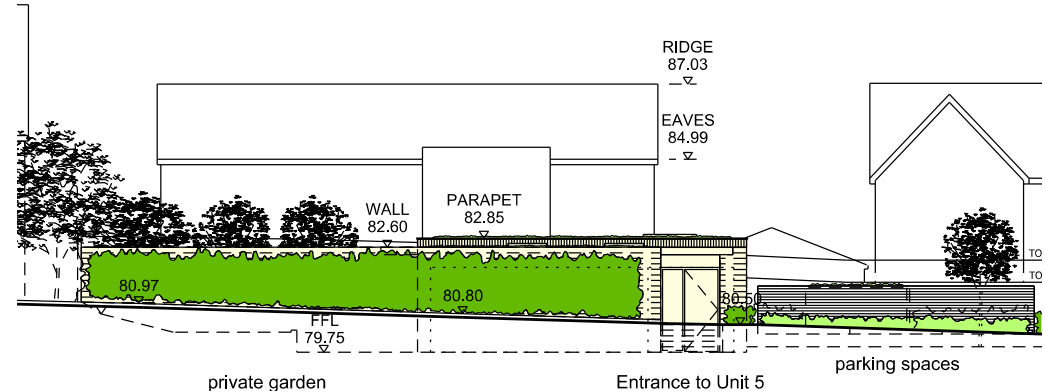
Design precedent - Kings Chase Lodge, Hampton Court Road



EXISTING SITE - Elevation facing Mount Pleasant



- REFUSED scheme 21/P/02646



- NEW scheme

5 Proposed Development

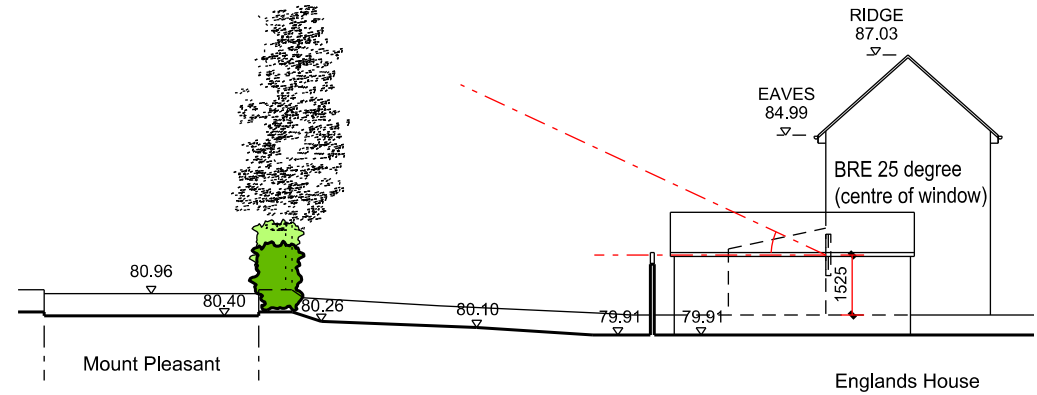
5.10 Rear Building - Scale & Massing facing front building

The adjacent sections allow a comparison between the existing site, refused application and revised scheme.

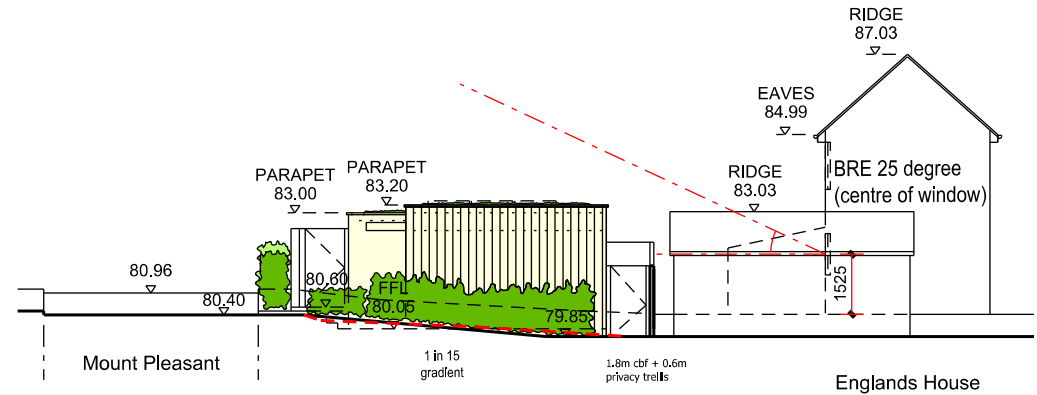
The section is taken through the proposed parking area to the middle of the site and shows how existing site levels are utilised.

The section shows how the new bin store is located to the rear of the site as before however is now located behind a 1.3m high horizontal hardwood privacy screen to provide visual separation between the parking area, bin store and communal patio.

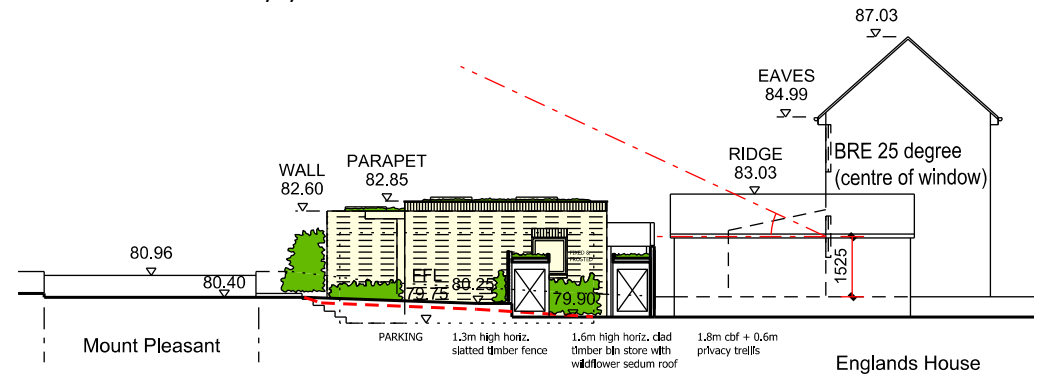
The sections demonstrate how the profile of the new scheme lower the parapet height below the ridge height of the adjacent garage to Englands House.



EXISTING SITE - Site section with Englands House



- REFUSED scheme 21/P/02646



- NEW scheme

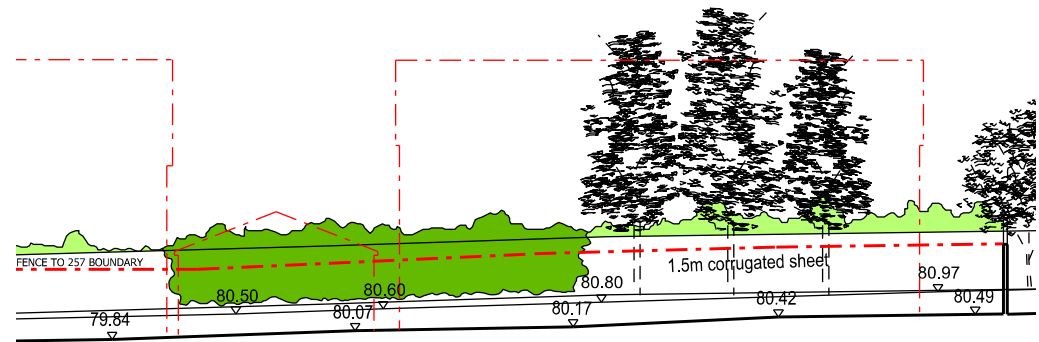
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5.11 Rear Building - Scale & Massing viewed from Englands House

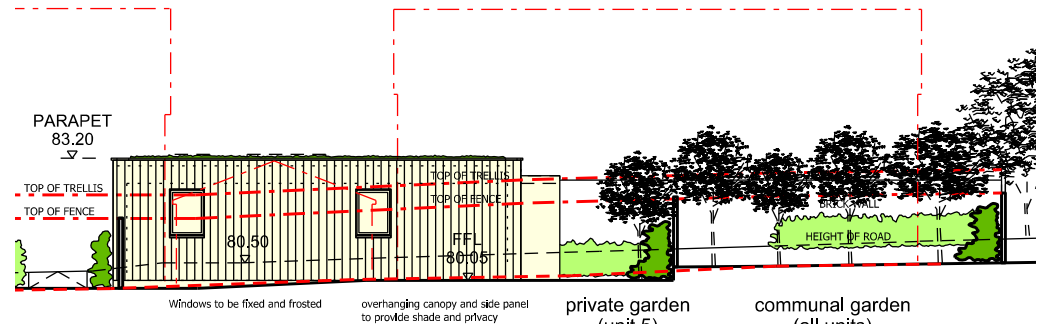
The adjacent site sections highlight the rear elevation of Unit 5 running parallel with the site boundary with No.257 and Englands House.

The existing timber boundary fence and proposed 0.6m high timber privacy trellis are highlighted in bold red to demonstrate how much of the proposed elevation will be visible from Englands House.

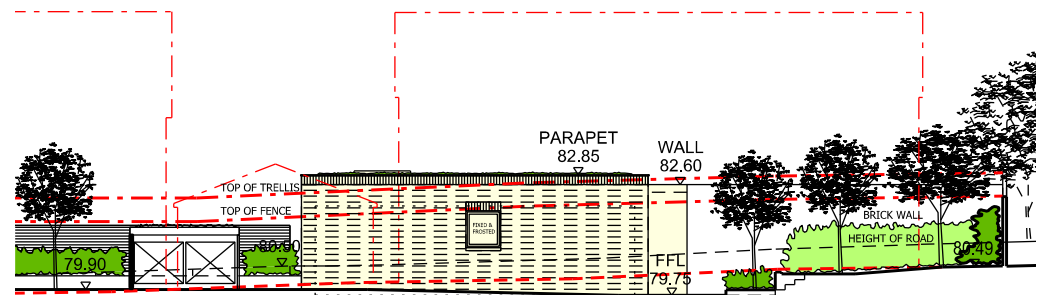
The new location and scale of Unit 5 show how the majority of its rear facade will be hidden behind the timber boundary fence and trellis. The building will have a very modest scale when viewed from the adjacent property, with the proposed addition of new tree planting along the rear boundary helping to provide additional screening between the two properties.



EXISTING SITE - Rear elevation facing No.257 & Englands House



- REFUSED scheme 21/P/02646



- NEW scheme

5 Proposed Development

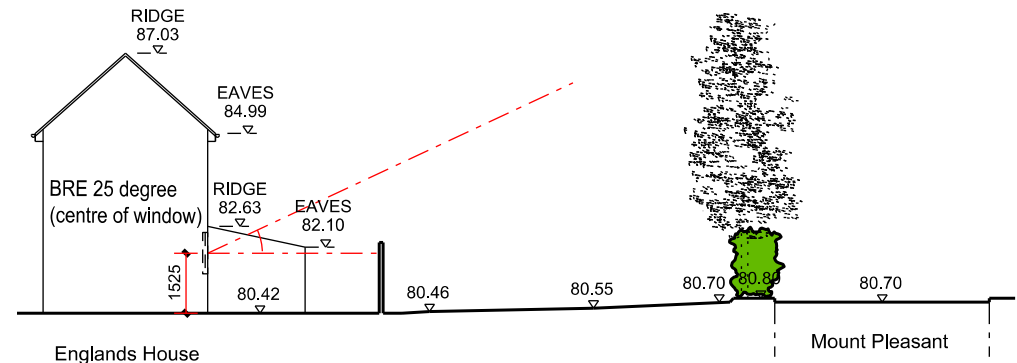
5.12 Rear Building - Scale & massing facing rear garden

The bold red line on the adjacent sections demonstrate the natural ground level of the site and highlight the difference in proposed ground floor levels between the refused and new scheme.

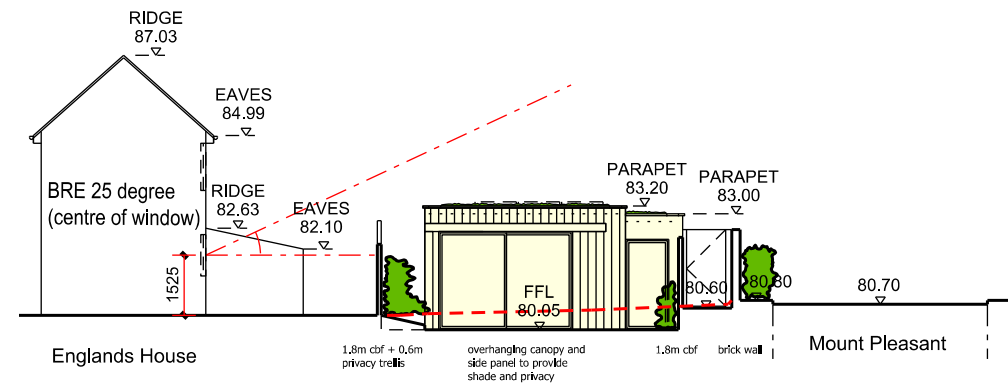
Due to the sloping nature of the existing site and boundary fence, the rear facade of the proposed unit 5 would be completely below the top of the trellis.

As the scale and massing of the proposed rear building has been reduced above and beyond the previous scheme, the building would remain subservient to all adjacent buildings on Norbury Road and as such would have minimal impact upon the privacy of their rear amenity spaces.

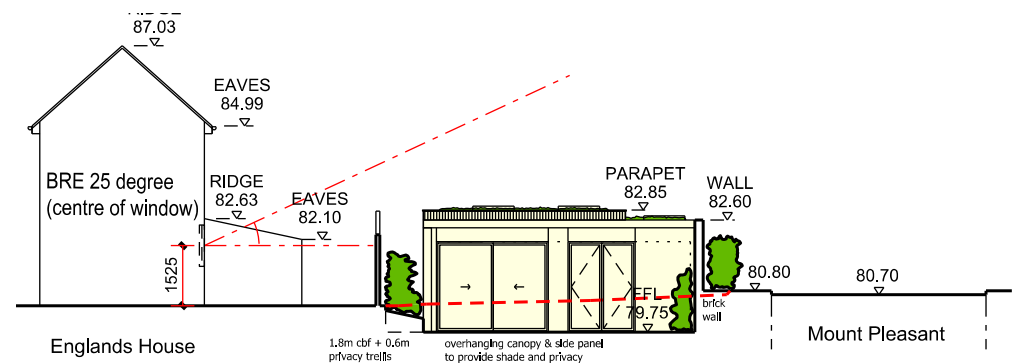
The section also demonstrates how the proposed building would be screened behind the 2m high brick boundary wall and 1.8m wide strip of proposed hedge planting along Mount Pleasant.



EXISTING SITE - Site section with Englands House



- REFUSED scheme 21/P/02646



- NEW scheme

5 Proposed Development

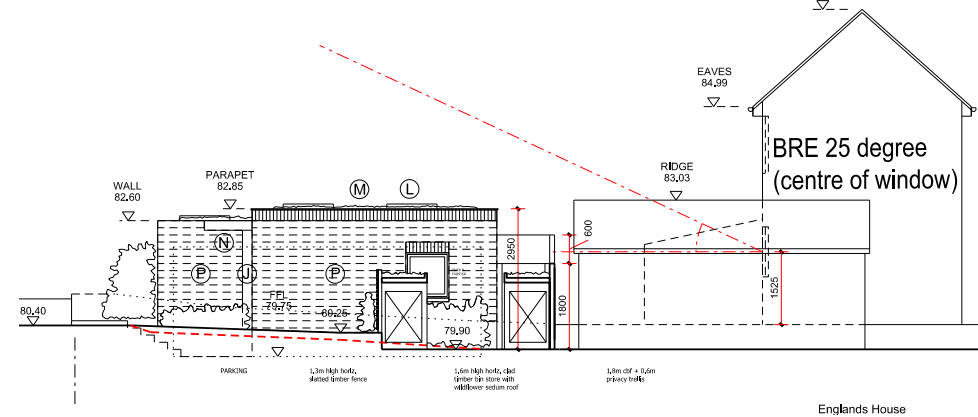
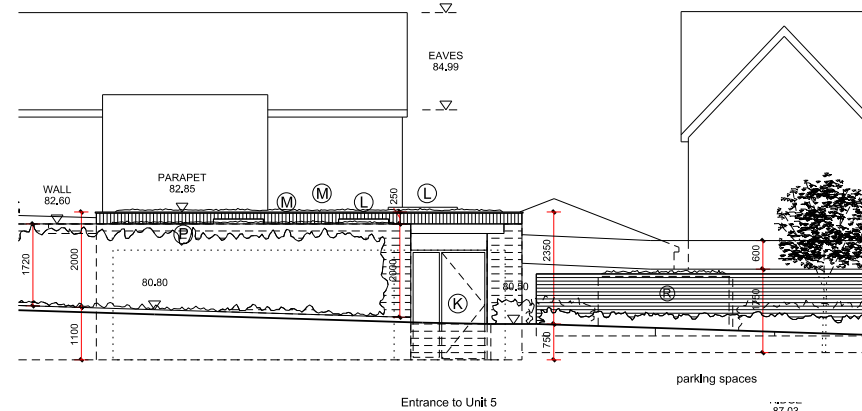
5.13 Rear Building - Character & Appearance

The proposed single storey rear building would include a more modern palette of materials to provide a contrast to the traditional appearance of the front building.

In response to the planning officers comments, the charred timber cladding has been completely removed and replaced with high quality brickwork.

The rear building would utilise the following materials:

- J Zinc cladding panels (dark grey)
- K Aluminium framed windows and doors (dark grey)
- L Aluminium framed flat roof lights (fixed)
- M Wildflower sedum roof with thin metal parapet trims
- N Aluminium projecting roof canopy (dark grey)
- P Modern long format grey / brown multi-stock brickwork

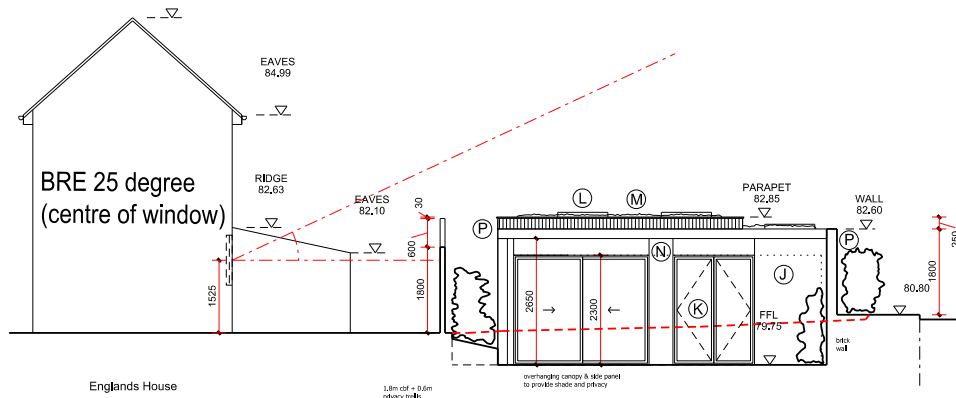


Proposed front / side elevation of Unit 5

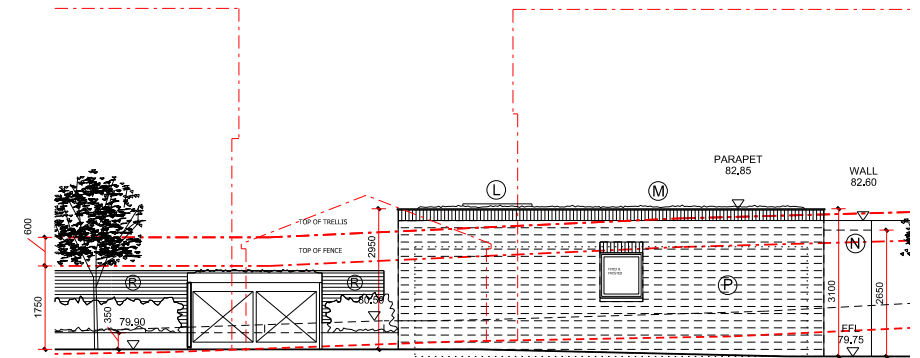


Modern format brickwork with thin PPC metal coping, PPC metal lining to window / door openings, zinc cladding panels adjacent to rear sliding doors & main entrance

5 Proposed Development



Proposed rear elevation of Unit 5 overlooking private walled garden



Proposed rear / side elevation of Unit 5



Wildflower sedum roof with dark aluminium trims and flat glass roof lights

6 Energy & Sustainability

Environmental Performance

- The proposed scheme will be designed to exceed the requirements of Part L of the building regulations. Please note that an updated energy report has been included to clarify how the scheme would meet the requirement to achieve a 20 percent reduction in carbon emissions through the use of energy efficiency measures, low or zero carbon technologies and water efficiency measures.

Construction materials

- Existing areas of masonry and hard standing will be broken up and reused as hard core wherever possible to reduce landfill. The materials specified will have a long life and low maintenance requirement. The majority of timber products will be obtained from sustainable sources and be Forest Stewardship Certified. Materials used in the development will be sourced locally wherever possible.

Water Saving / Recycling

- Toilets will be dual flush to reduce the amount of water used in their operation. Taps and showers specified will be low volume. Provision will be made for each dwelling to have space for recycling and refuse collection located within the bin stores.

Surface Water Run Off

- Wherever possible, areas of hard standing will utilise permeable surfaces with rainwater pipes feeding into rainwater soakaways located more than 5m away from any built structures to reduce surface water run off on the site.

Cycling and Walking

- The development includes 5 No metal cycle stores to provide secure storage for a total of 10 bicycles.

Light Pollution

- Appropriate strength external lights will be used to light the all external areas.

Flood Resistant Design

- The site is not within a Flood risk area.

7 Access Statement

Site Access and Security

All external front doors are positioned to enable overlooking from adjacent habitable rooms and the public realm.

Access & Accessibility

All areas of hard standing will be compliant with Building Regulations part 'M'. Where possible the gradients of the external ground adjacent to entrances will be as low as possible to ensure the benefit of ambulant disabled persons and those using wheelchairs.

External light fittings will be fitted to allow greater visibility for access and safety.

General Requirements

Doorways: All doorways both internal and external will have minimum widths which are compliant with the Building Regulations.

Windows: The windows within the dwellings will be easily accessible to allow easy day to day operation and access for occasional cleaning.

Stairs: All stairs will be compliant with Part M standards and provide a minimum 0.9m width.

Kitchens and Living Rooms: Kitchen and lounge areas will be large enough to allow easy access for wheelchair users, with enough space for a 1500mm turning circle.

Bedrooms: All bedrooms will have enough space for a 1500mm turning circle for wheelchair users. There will also be a generous amount of space in most of the bedrooms for storage of any medical equipment should the occupants become elderly, infirm, ill, immobile etc.

Controls: All switches/operational controls will be located at a usable height between 450mm and 1200mm from the floor, for all occupants and visitors.

8 Conclusion

The revised proposal described within this document aims to overcome the previous planning objections raised by both Guildford Borough Council and the appeal inspectorate.

Guildford Borough Council's previous reasons for refusal were threefold:

- 1) The rear unit was considered to be of inappropriate scale, character and layout.
- 2) The design & materials of the rear unit were considered out of character with the surrounding area.
- 3) The communal amenity space was considered too remote from Units 2, 3 and 4.

Following a detailed assessment of the previous application, the appeal inspector decided to overturn items 1 and 2 and dismissed the appeal based solely on item 3 (inappropriate location of communal amenity for the flats).

The updated design however aims to overcome all three reasons for refusal by proposing the following amendments:

- The communal amenity space has been relocated to immediately outside the front block of flats, with the external ground level dropped down 300mm compared to the finished floor level of the front building to ensure privacy is maintained for the future residents of Unit 1.
- The landscape design has been updated to provide a generous communal amenity space with lawn, planting beds, tree planting and a hard landscaped communal terrace to provide high quality amenity to the future residents.
- Unit 1 includes a generous private terrace adjoining the amenity space.
- The footprint of Unit 5 has been condensed and its scale further reduced via lowering the external and internal finished floor level by 300mm and reducing the internal clear ceiling height to 2.3m which further minimises the building's profile when viewed from Englands House.

- As noted by the appeal inspector, the low lying nature of this building would therefore ensure it would not appear dominant or incongruous in the street scene or when viewed from Englands House.

- The overall parapet height of Unit 5 has been reduced by a total height of 350mm

- The perceived scale of Unit 5 when viewed from Mount Pleasant has been reduced by amending its design to be partially screened behind the 2m high brick boundary wall running parallel with Mount Pleasant.

We believe that the enclosed scheme provides a sensitive and considered development making more effective use of an under-developed site whilst respecting the character and appearance of the surrounding residential area.

The front building would be of similar scale to the adjacent building at No.257 Guildford Road and would provide much needed smaller residential units within the settlement boundary of Effingham.

The rear building would provide a modern and interesting small dwelling which respected the outlook and amenity of its immediate neighbours.

The proposal would respect the privacy, amenity and setting of adjacent residential properties and as such, we ask that the Guildford Borough Council support this revised planning application.

Appendix A

Drawing Schedule

V60_P_001	Rev C	OS Location Plan
V60_P_002	Rev C	Existing Building - Plans & Elevations
V60_P_003	Rev C	Existing Site Plan
V60_P_004	Rev D	Proposed Site Plan
V60_P_010	Rev E	Front Building - Proposed Ground & First Floor Plan
V60_P_020	Rev D	Rear Building - Proposed Ground Floor Plan
V60_P_021	Rev D	Rear Building - Proposed Roof Plan
V60_P_030	Rev C	Street Elevation (Guildford Road) & Rear Elevation
V60_P_031	Rev C	Street Elevation - Mount Pleasant
V60_P_032	Rev C	Site Section 1
V60_P_033	Rev C	Site Section 2 & 3
V60_P_034	Rev C	Proposed Elevations - Front Building
V60_P_035	Rev C	Proposed Elevations - Rear Building
V60_P_036	Rev D	Proposed Bin Stores

Appendix B

CASE OFFICERS REPORT FOR PLANNING REFUSAL (Ref: 21 / P / 02646) - 31st May 2022

Appl No: 21/P/02646 **8/13 week deadline:** 31/05/2022
Appl Type: Full Application
Parish: Effingham **Ward:** Effingham
Agent: Jones Town Planning Ltd **Applicant:** Wynngate Guildford Limited
Location: Chestnut Beech, 255 Guildford Road, Effingham, Leatherhead, KT24 5NP
Proposal: Construction of a two storey building to the front of the site and a single storey building to the rear of the site comprising 5 No. x 1 bed flats along with bin store, 5 car parking spaces and landscaping following demolition of the existing building.

Officer's Report

Site description.

The application site is located on the southern side of Guildford Road and the corner of Mount Pleasant, Effingham. The site is currently occupied by a two storey building, that includes a shop facing Guildford Road, a flat above and storage area to the rear.

The site is located in an area inset from the Green Belt. The site lies within the 5km - 7km buffer zone of the Thames Basin Heath Special Protection Area.

Proposal.

Construction of a two storey building to the front of the site and a single storey building to the rear of the site comprising 5 No. x 1 bed flats along with bin store, 5 car parking spaces and landscaping following demolition of the existing building.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/W/00104	Prior notification under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for a proposed Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3) comprising one flat.	Approve 18/11/2021	N/A
21/P/00377	Demolition of the existing building for the construction of a two storey building to the front of the site and a single storey building to the rear of the site comprising of 1No x studio flat, 4No x 1 bed flats and a small Class E commercial unit with 7 parking spaces.	Refuse 27/05/2021	N/A
11/P/02016	Prior approval for the siting and design	Application Not	N/A

	of one DSLAM equipment cabinet to provide high speed broadband.	Required 14/12/2011	
11/P/01896	Prior approval for the siting and design of one DSLAM equipment cabinet to provide high speed broadband.	Withdrawn 28/10/2011	N/A

Consultations.

Statutory consultees

County Highway Authority: Recommend conditions

Thames Water: No comments received

Internal consultees

Head of Environmental Health and Licensing: no objection to the development on noise, air quality or contaminated land matters subject to suitable electric vehicle charging facilities as per the latest SCC guidance.

Refuse and recycling officer: with new guidance coming into force later this year the bin store would not be big enough for the bins to be stored, also they will need to make space for the food waste bins. (Officer note: Amended plans have been received increasing the size of the bin stores)

Effingham Parish Council

- overdevelopment of the site
- rear building out of character resulting in a cramped appearance

Effingham Residents Association - objection on the following grounds:

- no visitor parking provision
- overdevelopment of the site
- lack of parking

Third party comments:

16 letters of representation have been received raising the following objections and concerns:

- traffic safety concerns
- emergency vehicle access
- inadequate parking provision
- communal garden space useless due to location
- poor location of bike stores
- concern over construction material storage and deliveries due to site restrictions
- disruption during construction
- out of character
- no visitor parking provision
- overdevelopment of the site
- trees and bushes cleared prior to applications
- rear development should be removed and access to development from Guildford Road only
- loss of a retail shop
- no benefit as not social housing

Planning policies.

National Planning Policy Framework 2021 (NPPF):

- Chapter 1. Introduction
- Chapter 2. Achieving sustainable development
- Chapter 4. Decision Making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 6. Building a strong, competitive economy
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well - designed places
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 15. Conserving and enhancing the natural environment

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019)

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.34 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

S1	Presumption in favour of sustainable development
H1	Homes for all
P5	Thames Basin Heath Special Protection Area
D1	Place shaping
D2	Climate change, sustainable design, construction and energy
ID3	Sustainable transport for new developments
ID4	Green and Blue infrastructure

Guildford Borough Local Plan 2003 (as saved by CLOG Direction 24 September 2007):

G1(3) (8) (12)	General Standards of development
G5 (2) (3) (4) (5) (7) (8) (9)	Design Code
H4	Housing in urban areas
M6	Provision for Cyclists and Pedestrians
NE4	Species Protection
NE5	Development Affecting Trees, Hedges and Woodlands

Effingham Neighbourhood Plan 2018:

ENP-G2	Landscape, Heritage, Character and Design
ENP-G5	Assessing suitability of sites for residential development
ENP-H1	New Homes in Effingham
ENP-H2	Mix of Housing

ENP-ENV2 Wildlife Corridors and Stepping Stones
ENP-ENV6 Dark Skies
ENP-R1 Car Parking

Supplementary planning documents:

SPD Vehicle Parking Standards 2006
SPD Climate Change, Sustainable Design, Construction and Energy 2020
SPD Planning Contributions 2017
Thames Basin Heath Special Protection Area Avoidance Strategy 2017

Other guidance

Guildford Borough Council - Guidance on the storage and collection of household waste for new developments July 2017

Planning considerations.

The main planning considerations in this case are:

- background to this application and the principle of development
- the impact on the character of the area
- the impact on neighbouring amenity
- highway/parking considerations
- impact on trees
- ecology
- sustainable design and construction
- flooding
- infrastructure requirements
- presumption in favour of sustainable development

Background to this application and the principle of development

The proposal is for the erection of two buildings comprising 5 one bedroom flats following the demolition of the existing shop, with associated storage space and a 1 bed flat on the first floor which is accessed via an external staircase to the rear of the property. The site is surrounded by residential dwellings. There is no in principle objection to residential development in this location.

This current application follows the refusal of planning application 21/P/00377 which was refused in May last year for the following reasons:

1. The proposed development, due to its scale and layout, its position on a narrow plot and the extremely limited spacing surrounding the development and minimal amenity space provided, would result in an overly cramped form of development and will have a detrimental impact on the context and character of the area. The proposal is therefore contrary to Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019) and policies H4, and G5 of the Guildford Borough Local Plan 2003 (as saved by the CLG direction 24/09/07), the National Planning Policy Framework (NPPF), and guidance in the Planning Policy Guidance (PPG) and Residential Design Guide: Supplementary Planning Guidance 2004.

2. The proposed development would fail to provide an adequate outlook through lack of windows to habitable rooms and bedrooms for the proposed residential units to the rear of the site nor provide adequate private outdoor amenity space for the proposed flats in both proposed buildings

resulting in a poor living environment for future occupants. This would be contrary to policy D1 of the Guildford Borough Local Plan 2015 - 2034 (adopted 25 April 2019); policies G1(3) and H4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007) and the National Planning Policy Framework (NPPF).

3. The proposed single storey building would due to its height and scale and proximity to the neighbouring property, Englands House would have an adverse impact on the neighbouring amenities of this neighbouring property in terms of loss of light and overbearance. As such the proposals are considered to be contrary to policy G1(3) of saved Guildford Borough Local Plan 2003.

4. The proposed development by reason units 3, 4 and 5 having a gross internal floor area of less than 50 sqm would fail to conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government. The proposed development is thereby contrary to policy D1 of the Guildford Borough Local Plan : Strategy and Sites 2015-2034 (adopted 25 April 2019) and paragraph 127 of the National Planning Policy Framework.

After the refusal of planning application 21/P/00377 a prior notification application was made under planning reference 21/W/00104 for the change of use of the retail shop at the site to residential. The shop has been vacant since February 2020. Permission was granted for 21/W/00104 in November 2021.

The impact on the character of the area

The surrounding area has a mixed character in terms of the design and scale of the neighbouring properties. The neighbouring property at 257 Guildford Road has been redeveloped to provide a number of flats but the predominant character of the remaining immediate surrounding area in Mount Pleasant and Lindens Close is of detached and semi detached houses and bungalows with good sized gardens.

The demolition of the existing building, which is in a poor state and of no architectural merit, and its replacement with a two-storey building which would have a traditional roof design is considered to be in keeping with the general mix of buildings in the immediate surroundings. The height and bulk of the two storey building is also considered to be comparable with the buildings in the surrounding area.

The proposed two storey building to the front of the site would be obscured to the east to an extent by existing trees/vegetation on the corner of Mount Pleasant. The latter have not been removed unlike much of the trees and vegetation on the site. This point is addressed in more detail later on in this report. To the west the new building at 257 Guildford Road would obscure much of the proposed two storey building.

The applicant has made changes to the proposals since the refusal of planning application 21/P/00377 in an attempt to overcome the reasons for refusal. The size, height and appearance of the rear building have been reduced since the previous application. In addition the area of hardstanding between the two buildings has been reduced and more amenity space has been added, although the detached nature of some of the amenity space from the dwellings it would serve is unsatisfactory as will be discussed later in this report. However, it remains that there is very little space proposed around the buildings and both buildings are proposed in very close proximity to the boundary with 257 Guildford Road, Mount Pleasant and Englands House. The proposed single storey building to the rear of the site would be shoe horned in between the western and eastern boundaries of the application site with only minimal separation distance

between the building and the western and eastern boundaries. The combination of the two buildings with very little space around them on this limited site results in a development that plays little regard to the prevailing character of the area and an overdevelopment of the site.

The rear building would be of a poor design, resembling an ancillary garden building rather than a residential flat with a contrived arrangement of windows and openings. The rear building would be flat roofed and the walls would have charred timber wall cladding. The rear building would have a large bland rear elevation with just two modest fixed frosted glass windows. In addition a 2m high wall is proposed along much of the boundary with Mount Pleasant in an attempt to reduce the impact of the proposed rear building which further exacerbates the poor design of the proposed building. Whilst it is acknowledged that these amendments have been made to the proposed building since the previous planning application in an attempt to overcome concerns raised in the previously refused scheme the resulting rear building is unacceptable and out of keeping with the prevailing scale and character of the immediate surrounding area.

As such, it is concluded that the proposal will have a detrimental impact on the context and character of the surroundings, contrary to policies G5 and H4 of the saved Local Plan, policy ENP G2 of the Effingham Neighbourhood Plan and Chapter 12 of the NPPF.

The impact on neighbouring amenity

The relationship between the proposed two storey building at the front of the site and the new building to the front of the neighbouring site at 257 Guildford Road (Office and flats) is considered to be acceptable. The two storey building would have obscure glazed windows in the side elevation and the building would have an acceptable relationship with neighbouring properties.

The building to the rear of the site would be single storey and flat roofed with its ground floor level cut into the sloping site. It would be in very close proximity to the boundary with Englands House which is itself in close proximity to the mutual boundary and the new garages to the new properties built on the site at 257 Guildford Road. However, due to the form of the proposed building and its single storey nature combined with only fixed frosted glass windows proposed in the rear elevation and only a single door/window in the front elevation the resultant relationship with neighbouring dwellings would be satisfactory and would not impact adversely on neighbouring amenity in terms of overbearance, loss of privacy or loss of light.

The proposals are thus considered to be in accordance with Policy G1(3) in this regard.

Living Environment

The proposed sizes of the residential units would meet with the DCLG's Technical Housing Standards - Nationally described Space Standards (March 2015) and the requirements of Policy H1 of the new local plan. Each of the proposed one bedroom flats would have a gross internal floor area of 50sq m which would meet the minimum standard of 50 sqm for a two person, 1 bedroom, one storey dwelling.

The proposed flats 1 and 5 would each have amenity space providing a private garden area immediately adjacent to the respective flats. The proposals would provide units 2,3 and 4 with a communal garden at the western end of the application site some distance from the flats they would serve. Given the location of this garden area in relation to the flats themselves and the distances to them it is unlikely that in practice it would be very useable and as such is unsatisfactory.

As such whilst the proposals would meet the minimum requirements for 1 bed 2 person units as laid down by the Nationally described space standards they would fail to provide a satisfactory environment in terms of adequate garden / amenity space for flats 2,3 and 4.

Highway/parking considerations

The proposed development has been considered by the County Highway Authority who have assessed the proposals on safety, capacity and policy grounds. The County Highway Authority has raised no objection to the proposals subject to the imposition of conditions including fast charge electric sockets, the proposed new pavement being implemented prior to first occupation and a Construction Transport Management Plan.

The proposed development would provide a total of 5 parking spaces. 3 spaces accessed off Mount Pleasant to serve the residential units and 2 spaces to the front of the site accessed from Mount Pleasant and exited from the Guildford Road. Policy ENP R1 of the Effingham Neighbourhood Plan states that the minimum parking requirement for one bedroom flats is one allocated space. In addition, the policy states that all new development must be made to provide adequate visitor spaces and delivery vehicles. The concerns of local residents are noted in relation to the parking provision and highway safety surrounding Mount Pleasant. However, there is no objection from the County Highway Authority and the proposals meet the minimum parking standards.

Impact on trees

There are no Tree Preservation Orders relating to the application site. However, a pre application response to the applicant clearly pointed out that there were a number of trees on the site and that an Arboricultural Assessment should be submitted with any planning application. No Arboricultural Assessment was submitted with the previous planning application 21/P/00377. There have been a large number of comments from residents that a number of trees have been removed from the site and the site being cleared about the time of the previous planning application being made. The Case Officer's site visit on 24 March 2021 for the previous application 21/P/00377 and the photographs taken at that site visit confirmed that the site was largely cleared prior to that application being made. The Case Officer visited the site again on 5 May 2022.

An Arboricultural Impact Statement and Arboricultural Method Statement has been submitted with this current application. The Council's Arboricultural Officer has been consulted and he has raised no objections to the proposals subject to the imposition of a condition to ensure the development would be carried out in accordance with the submitted documentation. Had this application been acceptable in all other respects this condition could have been added to any subsequent planning permission.

Ecology

No ecological assessment has been submitted with the application and no mitigation measures have been detailed in any submissions to the Council. In addition, the applicant has not provided any details of proposed ecological enhancement measures to protect the nature conservation and biodiversity value of the site.

Sustainable Design and Construction

The NPPF requires the planning system to shape places in a way that contributes to "radical reductions" in greenhouse gas emissions and states that plans should take a proactive approach to mitigating and adapting to climate change in line with the objectives of the Climate Change Act

2008. Policy D2 of the LPSS and the accompanying Climate change, sustainable design, construction and energy SPD sets out the Council's approach to achieving the overarching requirement from national policy. Part 3 of policy D2 requires non-major development proposals to submit sustainability information which is proportionate to the size of the development in the planning application, whilst part 11 specifies that planning applications must include adequate information to demonstrate and quantify how proposals comply with the energy requirements at paragraphs 5-10 of the policy. Part 9 sets a mandatory requirement that new buildings must achieve a reasonable reduction in carbon emissions of at least 20% measured against the relevant Target Emission Rate (TER) set out in the Building Regulations 2010 (as amended) (Part L).

The application is supported by a Climate Change, Energy and Sustainable Development Questionnaire. The submitted information confirms that the new dwelling would adopt high standards for energy performance with fabric first approach, complemented with zero-carbon technologies to minimise carbon footprint and installation of solar panels and a water efficiency of less than 110 litres per person per day in line with the Council's requirements. In addition, low impact materials would be prioritised within the construction.

The submitted questionnaire sets out that the proposal would seek to minimise the use of primary materials and reuse and recycle any demolition/excavation material where practicable.

Overall, subject to the development being carried out in accordance with the submitted information, the proposal is found to be compliant with policy D2 of the LPSS 2015-2034 the Climate change, Sustainable design, Construction and Energy SPD 2020, and the requirements of the NPPF.

Flooding

The site is within the Flood Zone 1 (defined as having a low probability of flooding). The site is not designated as a critical drainage problem area and the site is a minor application and therefore there is no requirement for a drainage scheme to be submitted with the application.

Infrastructure requirements

Concerns have been raised regarding significant increase in demand for utilities and local infrastructure in Effingham. The proposal is of a minor scale where the Council is unable to seek financial contributions towards such infrastructure matters. Nevertheless, given the minor scale with a net increase of 5 dwellings it is considered unlikely that the development would put an unacceptable strain on local infrastructure.

Presumption in favour of sustainable development

Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development, which means for decision-making:

- “c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019.

The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.00 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Conclusion.

The proposed development is considered to be an overdevelopment of the site. The rear building is of a poor design, out of character with the surrounding area. The proposals would fail to provide an adequate living environment in terms of satisfactory and useable amenity space for the proposed flats 2, 3 and 4 due to the location of the proposed amenity space in relation to the flats it would serve.

The application is recommended for refusal.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposed development, due to its scale and layout, its position on a narrow plot and the extremely limited spacing surrounding the development and contrived amenity space provided, would result in an overly cramped form of development and will have a detrimental impact on the context and character of the area. The proposal is therefore contrary to Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019) and policies H4, and G5 of the Guildford Borough Local Plan 2003 (as saved by the CLG direction 24/09/07), policy ENP G2 of the Effingham Neighbourhood Plan, Chapter 12 of the National Planning Policy Framework (NPPF), and guidance in the Planning Policy Guidance (PPG) and Residential Design Guide: Supplementary Planning Guidance 2004.
2. The proposed development would fail to provide adequate useable private outdoor amenity space for the proposed flats 2,3 and 4 due to the amenity space for these three flats being distant and separated from the dwellings it would serve resulting in a poor living environment for future occupants. This would be contrary to policy D1 of the Guildford Borough Local Plan 2015 - 2034 (adopted 25 April 2019); policies G1(3) and H4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007) and the National Planning Policy Framework (NPPF).
3. The proposed rear building by virtue of its poor design, flat roof, wooden cladding and ancillary garden building appearance would result in an incongruous form of development and would have a detrimental impact on the context and character of the area. The proposal is therefore contrary to Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019) and policy G5 of the Guildford Borough Local Plan 2003 (as saved by the CLG direction 24/09/07), the National Planning Policy Framework (NPPF), and guidance in the Planning

Policy Guidance (PPG) and Residential Design Guide: Supplementary Planning Guidance 2004.

Informatives:

1. This decision relates expressly to drawing(s) P_001 REV B , P_002 REV B, P_003 REV B, P_032 REV B, P_033 REV B, P_030 REV B, P_031 REV B, P_034 REV B, P_035 REV B, P_001 REV B, 17468AIA, received 17 December 2021 and amended plans P_004 REV C ,P_010 REV D, P_020 REV C, P_021 REV C, and P_036 REV C received on 21 April 2022.

2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

- In this case pre-application advice was sought and provided which addressed potential issues and suggested amendments to overcome concerns. However, the application has not been submitted in accordance with that advice, the application was considered to be unacceptable and no further amendments were sought.

Report Date: 13 September 2022

Case Officer:

Carolyn Preskett
Planning Officer

Checking Manager:



Daniel Ledger

Applications Team Leader

Appendix C

APPEAL INSPECTORS REPORT : DISMISSED - (Ref: APP / Y3615 / W / 22 / 3307469) - 14th August 2023



Appeal Decision

Site visit made on 24 May 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2023

Appeal Ref: APP/Y3615/W/22/3307469

Chestnut Beech, 255 Guildford Road, Effingham KT24 5NP

- 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 P Cook of Wynngate Guildford Ltd against the decision of Guildford Borough Council.
 - The application Ref 21/P/02646, dated 17 December 2021, was refused by notice dated 14 September 2022.
 - The development proposed is described as "Demolition of the existing building for the construction of a two storey building to the front of the site and a single storey building to the rear of the site comprising 5 No. x 1 bed flats with 5 car parking spaces and landscaping".
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note section E of the appeal form suggests an alternative description. However, the description in my banner heading relates to the development originally applied for.
3. Since the appeal was lodged the Council has adopted the Guildford Borough Local Plan: Development Management Policies (LPDMP) Adopted 22 March 2023. The policies in the LPDMP supersede policies from the Guildford Borough Local Plan 2003, which were included in the Council's reason for refusal of the planning application. An opportunity has been given for the parties to comment on its significance for the appeal. I am required to determine the appeal on the basis of the development plan and national policy which are in place at the time of my decision and accordingly I have determined the appeal on that basis.

Main Issues

4. The main issues are:
 - i) whether the proposed development would provide satisfactory living conditions for the future occupiers of the flats with particular regard to access to amenity space for flats 2, 3 and 4; and
 - ii) the effect of the proposed development upon the character and appearance of the area.

Reasons

Living Conditions

5. Flats 2, 3, and 4 would access a communal garden space, its size and shape to which I find is acceptable. However, in this circumstance the communal garden area would be separated from the flats it would serve by parking spaces, associated with the development, and the proposed detached dwelling. The communal garden area would be accessed via a footpath which runs the length of the appeal site. Whilst a garden area would be of benefit to the occupiers of the proposed flats, it would be physically detached from the properties it would serve, with intervening uses. I consider that the lack of direct access to the amenity space would not allow for effective and practical use by residents and thus future occupiers of the flats would likely to be deterred from using it.
6. My attention has been drawn to the presence of nearby recreational open space. However, I note that this is also divorced from the appeal site and is not private. The appellant refers to the adjacent development at 257 Guildford Road, which I understand provides no garden space for the majority of the flats. I am not aware of the precise circumstances of this case. However, based on the limited evidence before me it is noted that this permission was granted under a different Local Plan to the proposal. In any event, I have determined this appeal on its own merits.
7. For the above reasons, I conclude that the development would not provide for satisfactory living conditions for the future occupiers of the flats, with particular regard to access to amenity space for flats 2, 3 and 4. Accordingly, I find conflict with Policy D5 of the LPDMP which amongst others, requires developments to be served by amenity space which is located to allow effective and practical use of the space by residents. I also find that the proposal would fail to accord with Policy D4 of the LPDMP as the garden space would not be well-related to the proposed development. In addition, the proposed development would conflict with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2045 (LPSS) which, amongst others, requires development to be designed to meet the needs of all users, including having regard to the location of the building on the plot. I also find conflict with the National Planning Policy Framework (the Framework), which requires that developments provide a high standard of amenity for existing and future users.

Character and appearance

8. The proposed residential accommodation would be achieved through the construction of two buildings. The Council has no concerns regarding the design, scale or bulk of the frontage building which would accommodate flats. The proportions of this proposed building would be similar to the adjacent building at 257 Guildford Road. The siting of the proposed flats would be reflective of the existing pattern of built development in the locality in terms of spacing around the building and its proximity to boundaries. The proposed building has similarities to the existing building that it would replace in terms of siting, scale, bulk and mass. Having regard to the context of the site, the proposed frontage building would not be out of character with the surrounding area. For these reasons, I have no reason to take a different view.

9. In respect of the building to the rear of the site this building would provide for a dwelling and would be single storey with a flat sedum roof. The site lies within a predominantly residential area of mixed character comprising detached and semi-detached houses and bungalows. The proposed building would be contemporary in its design and external finish, which would contrast to the traditional brick development in the locality. However, in the surrounding area ancillary garden buildings are present, some of which have a wooden finish and flat roof, not dissimilar to the proposed building. As there is no uniform scale and height to dwellings in the locality, I do not find that the proposed building would be out of character with existing built development such that it would cause harm to the street scene.
10. The proposed building would be low lying, as it would be cut into the slope of the site and would be largely screened by boundary treatments. It would therefore not appear dominant or incongruous in the street scene. For these reasons the scale and design of the proposed dwelling would be appropriate given the suburban context of the site.
11. The proposed single storey dwelling would sit adjacent to the neighbouring property's garage. The positioning of this would be similar to the relationship of other built developments within the immediate vicinity of the site, including its proximity to boundaries. The development would therefore be in-keeping with the prevailing pattern of development in the locality.
12. Taking all of the above into account, the proposed development would not result in harm to the character and appearance of the area. Accordingly, I find no conflict with Policy D1 of the LPSS, Policy D4 of the LPDMP, Policy ENP G2 of the Effingham Neighbourhood Plan and the Residential Design Guide: Supplementary Planning Guidance 2004. Collectively, these seek to achieve high quality design which respects local distinctiveness. I also find no conflict with the Framework, which seeks to achieve a high quality of design, while not preventing or discouraging appropriate innovation or change.

Other Matters

13. The proposed frontage building is designed and positioned such that it provides for an active frontage and natural surveillance of the public realm. Due to the positioning of the proposed buildings and its windows I am satisfied that the proposed development would not result in overlooking, or loss of daylight and sunlight to the residents of existing properties, or the future occupiers of the proposed development. I am also satisfied with the level of vehicle and bicycle parking provided to serve the development, and note that the Council raised no objections in this regard. However, these are neutral factors in my consideration of the appeal.
14. The appellant states that an unattractive storage building would be removed to facilitate the proposed development. I do not know the circumstances of the positioning of the storage building, and it does not form part of the description of development. I therefore give this limited weight in the determination of the appeal and its removal does not outweigh the harm I have identified.
15. I note the evolution of the proposal from a previously refused scheme. However, I have considered the appeal proposal on its own merits based on the evidence before me.

16. Had I been minded to allow the appeal I could have imposed conditions to secure landscaping and boundary treatments to secure private and communal garden spaces, to soften the visual appearance of the development and provide ecological enhancements. A condition for a construction management plan could have been included to minimise the impact of construction upon neighbouring properties. However, this would not outweigh the harm I have identified.

Planning Balance

17. The proposal would make efficient use of the land and would not represent an over-development of the site. I note the credentials of the proposed development in terms of energy rating, water use, together with other sustainable construction practices and features.

18. The proposed development would make a positive contribution to housing supply. I also acknowledge that the Framework is supportive of small and medium sized sites, such as this previously developed site, which can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly. Nonetheless, given that the Council's ability to demonstrate adequate housing land supply is not contested.

19. Whilst these would be benefits given the scale of the proposed development these benefits would be modest and would not outweigh the harm I have identified.

20. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. In this case, as I find conflict with the up-to-date policies of the development plan with regards to living conditions for the future occupiers of the flats, the proposed development would not benefit from the presumption in favour of sustainable development.

Conclusion

21. I have found conflict with the development plan taken as a whole. There are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

R Gee

INSPECTOR

Appendix D

ELECTRIC VEHICLE CHARGING POINTS

BASICCHARGE:EV

RANGE OVERVIEW

Floor Mounted
EV Charging Pedestals

ROLEC
EV Charging

MANUFACTURED IN THE UK



The BASICCHARGE:EV pedestal replicates Rolec's world leading Classic utility pedestal, which provides a simple and effortless EV charging experience for all users, with over 160,000 designed, manufactured and installed worldwide. The LED amenity lighting provides all locations with a unique aesthetic and allows for greater visibility of charge points.

These versatile pedestals are available in a low cost free-to-charge format, or with OCPP back office compatibility via the EV OPENCHARGE range, allowing for a pay-to-charge solution using the EV driver's smartphone and/or via authorise-to-charge RFID card/fob.

Compatible with all EVs/PHEVs, the BASICCHARGE:EV provides Mode 3 fast charging in both 3.6kW and 7.2kW, as well as SuperFast 11kW and 22kW speeds.

BASICCHARGE:EV
OPEN CHARGE
2way Charging Pedestal

BASICCHARGE:EV
OPEN CHARGE
2way Charging Pedestal

BASICCHARGE:EV
FREE TO USE
2way Charging Pedestal

BASICCHARGE:EV CHARGING PEDESTAL FEATURES & OPTIONS



Grant Fundable
Models Available



Type 2
Connector



LED Amenity
Lighting



Key Switch
Control



Branding
Options



GPRS / Ethernet
Connectivity



Superfast
3 Phase Charging



LED Status
Indicator Halos



OCPP
Integration



Mobile App Controlled
SMART Charging



RFID Card / Fob
Operated



Host
Management



IP Rated &
UV Stabilised



IK10 Impact
Rating



Flame
Retardant



CE
Certified

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EVBCO-V06-R4 BasicCharge EV Range - Overview Sheet

WALLPOD:EV

RANGE OVERVIEW

Wall / Post Mounted
EV Charging Units

ROLEC
EV Charging

MANUFACTURED IN THE UK



With over 100,000 WALLPOD:EV charging units installed in the UK, the WALLPOD:EV proves to be a reliable and popular option for a variety of requirements. This range includes the WALLPOD:EV HOMESMART; the smart EV charger for domestic use.

These cost-effective wall-mounted charging units are available in a free-to-charge format, or with OCPP back office compatibility via the EV OPENCHARGE range, allowing for a pay-to-charge solution using the EV driver's smartphone and/or via authorise-to-charge RFID card/fob.

Compatible with all EVs/PHEVs, the WALLPOD:EV is available in Mode 3 fast charging in both 3.6kW and 7.2kW, as well as SuperFast 11kW and 22kW speeds.



WALLPOD:EV Socket (Type 2) Charging Unit

WALLPOD:EV HOMESMART Socket (Type 2) Charging Unit

WALLPOD:EV OPENCHARGE Socket (Type 2) Charging Unit

WALLPOD:EV CHARGING UNIT FEATURES & OPTIONS



OZEV
Grant Fundable
Models Available



Universal
Charging



Type 2
Tethered Lead



Dynamic Load
Balancing



No Earth Rod
Required



Key Switch
Control



kWh
Metering



Colour Options
Available



OCPP
Integration



Mobile App Controlled
SMART Charging



RFID Card / Fob
Operated



Host
Management



GPRS / Ethernet
Connectivity



IP Rated &
UV Stabilised



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EVWPO-V08-R0 WallPod EV Range - Overview Sheet