
Appeal Decision

Site visit made on 28 June 2016

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 July 2016

Appeal Ref: APP/A3655/D/16/3149794
12 Engliff Lane, Pyrford, Woking GU22 8SU

- 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 Ms S Watson against the decision of Woking Borough Council.
 - The application Ref PLAN/2016/0140, dated 8 February 2016, was refused by notice dated 4 April 2016.
 - The development proposed is for a first floor flank extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor flank extension at 12 Engliff Lane, Pyrford, Woking GU22 8SU in accordance with the terms of the application, Ref. PLAN/2016/0140, dated 8 February 2016, subject to the following 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 the following approved plans: 1:1250 Site Location Plan, 1:500 Block Plan, 215/12/01 & 215/12/03.
 3. The materials to be used in the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the appeal proposal on the living conditions of the occupants of 10 Engliff Lane, with specific reference to sunlight and daylight.

Reasons

3. The proposal relates to a first floor extension over an existing garage which is situated towards the north western corner of the subject dwelling. The property has an existing two storey side extension that projects towards a ground floor window serving the family room of no10. The proposal would see a continuation of the eaves and ridge line of the existing two storey side extension in a northerly direction.
4. By virtue of the orientation (north east) of the proposed extension in relation to the family room window of no 10, there would be no material level of overshadowing caused by loss of sunlight.

5. With respect to issues of daylight, I note that the Council has produced a quite comprehensive guide entitled "Outlook, Amenity, Privacy and Daylight Supplementary Planning Document" (2008) (SPD) which utilises the Building Research Establishment's (BRE) "Site Layout Planning for Daylight and Sunlight 1991". The BRE report recommends that suitable daylight to a dwelling is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken 2m above floor level of the fenestrated elevation. I do not consider this to be directly relevant as the extension, the subject of this appeal, is not directly outside the family room window of no10.
6. However, within paragraph 6.3 of the SPD, it states that there is a second test, that all points on the main face of the building measured 2m above ground level must be within a 4m horizontal distance of any part of the building which has a 'vertical sky component' of 27% or more. Within SPD Appendix 2 it is explained that if the number of obstructed crosses above the 25° line on the Skylight Indicator is lower than the unobstructed crosses falling below it, then a skylight component greater than 27% will have been achieved.
7. The appellant's completed skylight indicator highlights that the existing extension to no12 blocks 14 of the crosses on the diagram, whereas the new extension would block 3 more, giving rise to a total of 17. Consequently, with 41 crosses on the indicator an unobstructed a skylight component greater than 27% would be achieved. Therefore, I can only conclude that the proposed extension would not have an unacceptable impact upon the daylight received by the family room of no10. I note the Council's concern about the view from the family room window over the existing garage of being obstructed, but that is not an appropriate test in order to assess daylight received by any habitable room window. Also, I acknowledge, from first-hand experience, that the rear of the family room was relatively dark on which also amounted to a bright day, but the proposed extension would not make this materially worse.
8. I therefore conclude on this issue that the proposed extension would not give rise to a significant loss of sunlight and daylight to the occupiers of 10 Engliff Lane and, therefore, their living conditions would be protected. The proposal complies with Policy CS21 of the Woking Borough Core Strategy 2012 in that the proposal would achieve a satisfactory relationship to the adjoining property, avoiding significant harmful impact in terms of loss of daylight or sunlight.

Other Matters

9. Notwithstanding the fact that heritage matters have not been raised by the Council, I note that the appeal site is situated within the Avery Road Conservation Area. I consider that the design and scale of the proposed extension is sympathetic to the host dwelling with a good attention to detail. Therefore, I consider that the proposed extension would at the very least preserve the character and appearance of the Conservation Area.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal be allowed.
11. Other than the standard time condition, the Council has suggested a condition requiring the external materials to be used in the construction of the extensions

to match those of the existing building. In the interests of the character and appearance of the surrounding area, this is an appropriate condition. In addition, for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out with the approved plans is imposed.

C J Tivey

INSPECTOR