

Appeal Decision

Site visit made on 26 August 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 21st September 2016

Appeal Ref: APP/A3655/D/16/3154668

Chardia, 4 Ryde Heron, Knaphill Woking GU21 2LT

- 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 Paul Tallent against the decision of Woking Borough Council.
 - The application Ref PLAN/2016/0274, dated 9 March 2016, was refused by notice dated 4 May 2016.
 - The development proposed is demolition of existing garage, internal alterations, side extensions, mansard roof and attached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the appeal proposal on the character and appearance of the locality and on the living conditions of the occupiers of 2 Ryde Heron, with regard to privacy.

Reasons

Character and Appearance

3. The appeal site includes a detached bungalow with accommodation within the roof. There is a single storey garage to its rear. Its garden is mainly to the appeal property's front, rear and to one side.
 4. Ryde Heron is a small cul de sac accessed from Robin Hood Road. Properties generally have space around them, are simple in form and similar in size, which gives the locality a sense of cohesion. The appeal site's simple form and footprint, its modest size, hipped roof and the space around it contribute to the locality's character and appearance.
 5. The appeal proposal would result in a property which would be significantly larger than others in the locality. It would have a more complex footprint with a large two storey rear projection. It would incorporate a mansard type roof and would fail to relate well to the host dwelling. All in all the resultant property would be out of character in this locality. The harm that I have identified would be increased by the prominent position of the appeal site at the entrance to Ryde Heron. Whilst I appreciate that using materials and fenestration to match the existing building would reduce the harm identified, it would not overcome it. Further, in making the above assessment, I have taken into account that the appeal site is set back from Robin Hood Road, screened by No. 3 and has a slightly larger garden than other properties nearby.
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6. I conclude that the appeal proposal would adversely affect the character and appearance of the locality and would fail to accord with Woking Core Strategy (2012) (CS) Policy CS21, in this regard. That policy aims for new development to respect and make a positive contribution to the street scene and the character of the area. It would also be contrary to Woking Design SPD (2015), Section 9D, which generally aims for extensions to enhance the existing property.

Living Conditions

7. The proposed rear first floor windows would be close to the bedroom window of the property behind, 2 Ryde Heron and would provide the potential for mutual overlooking, which would reduce the privacy currently enjoyed by the occupiers of that neighbouring property. Whilst I appreciate that the proposed separation distance is just below that set out in paragraph 5.10 of the Woking Local Development Framework *Outlook, Amenity, Privacy and Daylight* Supplementary Planning Document (SPD), in these circumstances it would result in harm to the neighbours' living conditions. That one of the proposed windows would be to an office does not alter my conclusion on this matter, as it would still enable the potential for a loss of privacy to neighbouring occupiers, from two separate rooms. Further, this would marginally worsen the situation that would result from the implementation of a Lawful Development Certificate (Ref PLAN/2016/0376), brought to my attention. This is because that proposal includes two windows serving a bedroom fronting No 2 and that before me includes two windows in roughly the same position serving separate rooms.
8. I conclude that the appeal proposal would adversely affect the living conditions of the occupiers of 2 Ryde Heron, with regard to privacy and would fail to accord with CS Policy CS21, in this regard. That policy aims for new development to achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, amongst other things. It would also be contrary to paragraph 5.10 of the SPD, which sets out that two storey accommodation should have a separation distance of approximately 20 metres.

Other Matters

9. I have noted the appellant's comments regarding the Council's pre-application advice. However, this is a matter between the appellant and the Council, in the first instance. In any event, I have made my decision on the basis of the merits of the proposal before me.
10. I have taken account of a Lawful Development Certificate (Ref PLAN/2016/0376), which is for extensions to the appeal property. However, those would be smaller and would relate more readily to the host dwelling.
11. Whilst other SPD and policy is referred to, I have concluded against those most relevant.

Conclusion

12. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed. *R Barrett* INSPECTOR