
Appeal Decision

Site visit made on 8 November 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 14th November 2016

Appeal Ref: APP/R3650/W/16/3153426

Woodlands, Scotland Lane, Haslemere, Surrey GU27 3AB

- 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 Brendan Keilthy against the decision of Waverley Borough Council.
 - The application Ref WA/2016/0557, dated 26 February 2016, was refused by notice dated 19 May 2016.
 - The development proposed is loft conversion and extension of existing bungalow, replace existing garage with single storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: the character and appearance of the Woodlands and the surrounding area; and the living conditions of the occupiers of the neighbouring properties, with particular regard to privacy and whether the development would be overbearing.

Reasons

Character and Appearance

3. Woodlands is a detached bungalow which is bounded by St Just, another bungalow, and Kingsholm, a chalet bungalow. The development would involve the construction of a first floor rear extension, a single storey side and rear extension, in part replacing a garage, and the installation of a front dormer. The alterations to the property's roof would increase its height by around half a metre.
 4. The first floor rear extension would occupy the property's full width and would be flat roofed and would be clad in vertical timber boarding. While this addition would be of a contemporary design, it would have a very angular and top heavy appearance that would unduly dominate Woodlands, given its uncomplicated form. I therefore find that the first floor extension, because of its scale and design, would be of a poor appearance that would be harmful to Woodlands' appearance. In this respect I am not persuaded that the choice of external materials would help to reduce the rear extension's unduly boxy appearance.
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5. The north eastern corner of the first floor extension would in part be visible from Scotland Lane across Kingsholm's frontage and I find that because of the addition's unusual form for the area its presence would detract from the street scene. I say this because the dwellings throughout this street have traditional gable ended or hipped roofs and I did not observe any partial or wholly two storey flat roofed properties. I am therefore of the opinion that the rear extension would fail to make a positive contribution to the surrounding area's appearance. While I acknowledge that a lot of the first floor rear addition would not be visible from public vantage points, the fact that a development would not be readily visible does not justify allowing it if it would be of a poor design.
6. I recognise that the sloping nature of this property's rear garden affects its utility as an outdoor space. However, I am not persuaded that seeking to improve the utility of the rear garden justifies the chosen design solution for the first floor rear extension. Reference has been made to an appeal decision¹ concerning a retirement home development in Cranleigh, however, as that development was of an entirely different nature I find the Cranleigh decision is of very little relevance to the appeal before me.
7. The other elements of the appeal development would be appropriately scaled and designed and I therefore find them to be unobjectionable.
8. For the reasons given above I conclude that the first floor rear extension would be harmful to the character and appearance of both Woodlands and the surrounding area. There would therefore be conflict with saved Policies D1 and D4 of the Waverley Borough Local Plan of 2002 (the Local Plan) and paragraphs 17 (the fourth core planning principle) and 64 of the National Planning Policy Framework (the Framework), in that the development would be of a poor design resulting in harm to the character and appearance of Woodlands and the surrounding area.

Living Conditions

9. It is intended that the roof area of the ground floor rear extension would be used as a garden terrace, in effect providing a bridge between the proposed first floor lounge/dining area and the rear garden. To avoid the potential for the occupiers of St Just to experience unneighbourly overlooking when the roof terrace was in use, the appellant has submitted that privacy screening could be installed, albeit the details for such screening did not form part of the originally submitted application.
10. The boundary between Woodlands and St Just is marked by mature evergreen planting, just beyond the rear elevations of these properties, and that planting would provide a significant degree of screening. That planting would, however, need to be supplemented by some form of solid treatment to infill the gap between the properties' rear elevations and the existing planting. Any such solid screening would be on the eastern side of the replacement garage's mono pitched roof and would therefore be set in from the shared boundary by around three metres². I am therefore content that the privacy screening would be sufficiently distant from the boundary with St Just for it not to have an overbearing presence for the occupiers of that property.

¹ APP/R3650/W/15/3130438

² Based on the internal dimension of the new garage quoted on drawing 10576-03 Revision C

11. I therefore consider that were this appeal to be allowed the installation of the necessary privacy screening could be secured through the imposition of a planning condition without harm being caused to the occupiers of St Just.
12. The first floor rear addition would be a comparatively large one, albeit set in some way from the boundaries Woodlands shares with St Just and Kingsholm. Having regard to the planting along the boundaries with St Just and Kingsholm, I find that the first floor rear extension's presence would not be overbearing for the occupiers of either of the immediately neighbouring properties.
13. I therefore conclude that the development would not be harmful to the living conditions for the occupiers of the neighbouring properties. There would therefore be no conflict with Policies D1 and D4 of the Local Plan in that there would be no unacceptable loss of privacy or sense of overbearing for neighbouring residents. I also find that there would be no conflict with the forth core planning principle (paragraph 17 of the Framework) insofar as a good standard of amenity (living conditions) would be available to all existing and future occupiers of neighbouring premises.

Other Matters

14. The appellant has submitted that as a fallback position Woodlands could be substantially extended at ground floor level using the permitted development (PD) rights that are available for extensions³. While PD rights might be available for a single storey rear extension, such an addition would be of a very different character and appearance to the proposed first floor addition. I therefore consider that the possible fallback position is not directly comparable with the appeal development and I note that the appellant does not in any event wish to exercise any such PD rights. I therefore attach limited weight to the possible fallback position and in any event I am required to consider the development on its individual merits, which is what I have done.
15. While I appreciate no objections to the development have been raised by the occupiers of neighbouring properties or the Town Council, this does not persuade me that development of a poor appearance should be allowed.

Conclusions

16. While I have found that the development would not be harmful to the living conditions for the occupiers of neighbouring properties, it would unacceptably harm the character and appearance of Woodlands and the surrounding area. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR

³ As per the addition illustrated on the drawings included within Appendix 5 to the appellant's appeal statement