

Appeal Decision

Site visit made on 29 March 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 5 April 2017

Appeal Ref: APP/A3655/D/17/3167489

30 Oak Tree Road, Knaphill, Woking, Surrey, GU21 2SB.

- 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 Richard Osbourne against the decision of Woking Borough Council.
 - The application Ref PLAN/2016/1108 dated 23 September 2016, was refused by notice dated 11 November 2016.
 - The development proposed is for a single storey rear extension and a first floor rear/side extension over an existing ground floor extension/garage.
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Costs

1. An application for costs was made by Mr Richard Osbourne against Woking Borough Council. In responding to this application the Council made an application for costs against Mr Richard Osbourne. Both applications are the subject of separate decisions.

Decision

The appeal is dismissed.

Main Issues

3. The first main issue is the effect of the scheme on the character and appearance of the existing property and the surrounding area. The second main issue is the effect of the scheme on the living conditions of the occupiers of 45 Oak Tree Road (No.45), with particular regard to visual impact and privacy.

Reasons

Character and appearance

4. The Appeal dwelling is located in a prominent position close to a bend in the road, within a mixed residential area. It is one of a number of pairs of symmetrically designed semi-detached two storey houses that have clean building lines and are visually uncluttered.
 5. Together and amongst other things the National Planning Policy Framework (NPPF) and policy CS21 of the Woking Core Strategy (Core Strategy) seek to ensure that new development is attractive, respects and makes a positive
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contribution to the street scene and the character of the area. The Woking Supplementary Planning Document – Design Guide 2015 (WDG-2015) has similar objectives. It seeks to ensure that the facades of buildings appear well designed, with good attention to detail.

6. The proposed side extension would be set back from the front building line of the host dwelling and its flat roofed garage, leaving a large expanse of flat roof in front of the proposed cat-slide roof. At the same time the front roof slope of the proposed extension would be steeper than that of the host dwelling, whilst the proposed rear roof slope would not be as steep as that of the host dwelling. The roof pitch of the front facing dormer window would match that of the host dwelling.
7. The whole extension would project beyond the main rear building line of the host property, leaving a large expanse of the flank wall of the existing dwelling visible within the street scene. This would accentuate the differences between the roof pitches and the resultant dwelling would appear unbalanced and poorly proportioned, as well as having large expanses of almost stark brick walling. It would materially detract from the uncluttered lines of the host building and the street scene as a whole. Conversely, the approved extension at 16 Oak Tree Road respects this character by adhering to the existing form of the host building.
8. Overall, the harm that would be caused to the character and appearance of the host dwelling and the street scene would outweigh the benefits for the Appellant and his family which would result from the proposed additional accommodation.
9. The Appellant has referred to a number of side extensions in the area which have deep or cat-slide roofs above ground floor level, including a scheme at 19 Briarwood Road. However, none of the examples are set back behind an expanse of flat roof and none appear to have different roof pitches to the host dwellings. As such they are not directly comparable to the Appeal scheme. Rather than setting a precedent for the Appeal scheme they highlight the need for each proposal to be assessed on its individual merits and in light of the prevailing planning policies.
10. Finally, the proposed single storey rear extension would be visually discrete and would respect the proportions and appearance of the host dwelling. However, as it would be physically attached to the proposed first floor extension it is not possible to deal with it separately.
11. I conclude on the first main issue that the proposed extension would unacceptably harm the character and appearance of the host dwelling and the street scene. It would therefore conflict with policy CS21 of the Core Strategy, the WDG-2015 and the NPPF.

Living conditions

12. No.45 has a number of large ground and first floor rear windows which face towards the flank wall of the Appeal dwelling. Whilst the existing flank wall of the Appeal dwelling is prominent in views from the rear garden and undoubtedly from the rear facing windows at No.45, it is not visually

overbearing. This is due to its relatively modest depth and distance from the dwelling and garden at No.45.

13. With the proposal the proposed flank wall would be closer to No.45 and would project further into the rear garden. At the same time its different roof pitches would accentuate the prominence of the resultant large expanses of flank wall. As a consequence the resultant dwelling would appear visually awkward and prominent. It would have a significant adverse impact on the outlook from the rear of No.45 and would fail to respect the spatial characteristics of the immediate area.
14. Due to its depth and form the relationship between the Appeal dwelling and No.45 is not directly comparable to the example shown at page 25 of the Appellant's statement.
15. It is noted that the occupiers of No.45 have confirmed in writing that they fully support the scheme and that it would not result in a loss of outlook or privacy for them. Whilst I have given their letter of support some weight, it does not negate the harm that would be caused to the outlook from that property.
16. The Council has expressed concern that the proposed first floor side window would result in a material loss of privacy for the occupiers of No.45. If the bottom of the proposed window was below 1.7 metres in height above the floor level of the proposed bedroom it would facilitate direct overlooking of the rooms served by the large rear facing rooms at No.45. This is due to the close proximity between the proposed windows and the rear elevation of No.45. However, as a secondary bedroom window it could be obscure glazed, with restricted opening, or it could be positioned where it would have a cill height of at least 1.7 metres above the floor level of the bedroom. Either of these options could be dealt with by condition and would ensure that the scheme did not result in a material loss of privacy for the occupiers of No.45.
17. For these reasons I conclude that the proposed scheme would have an unacceptable impact on the outlook from No.45. Accordingly, it would be contrary to policy CS21 of the Core Strategy, the WDG-15 and the Woking Supplementary Planning Document – Outlook, Amenity, Privacy and daylight 2008. Together and amongst other things they seek to protect the living conditions of existing residents from significant harm due to visual impact.

Other matter

18. The Appellant has raised various concerns relating to the processing of the Appeal application. These are matters that are not material the merits of the Appeal scheme and are addressed in the Appellants application for costs.

Conclusion

19. The conclusions on both of the main issues represent compelling reasons for dismissing this Appeal, which could not be satisfactorily addressed through the imposition of conditions.

Elizabeth Lawrence

INSPECTOR