
Appeal Decision

Site visit made on 15 May 2017

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 25 May 2017

Appeal Ref: APP/Q3630/W/16/3165118

307 Woodham Lane, Addlestone, Surrey KT15 3NY

- 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 Riverdore Ltd against the decision of Runnymede Borough Council.
 - The application Ref RU.16/1105, dated 23 March 2016, was refused by notice dated 1 September 2016.
 - The development proposed is construction of a new flat over an existing single storey building within the courtyard of 303-307 Woodham Lane.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The name of the appellant is given as 'Riveerdore Ltd' on the application form. However, this appears to be an error as the subsequent appeal documents give the name as 'Riverdore Ltd'. I have taken this to be the correct name and it is therefore the one given in the heading above.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the living conditions of (i) the occupiers of no. 305 Woodham Lane with regard to outlook; and (ii) the occupiers of nos. 301 and 303 Woodham Lane with regard to privacy.

Reasons

4. The appeal proposal comprises the construction of a new flat at first floor level above the existing single-storey flat-roofed element of the host building which forms part of a small parade of Shops located on the corner of Woodham Lane and Scotland Bridge Road. The flat would sit to the rear of the host building above the rear service yard.
 5. A substantial part of the proposed north western elevation of the flat would be sited in close proximity to the rear elevation of no. 305. The plans show, and the Council concurs, that at its furthest, the distance between the two properties would be about 6.7m.
 6. Accordingly, the proposal would close off much of the currently open view from no. 305 over the flat-roofed part of the host building. Whilst it would be
-

somewhat absurd to describe this as a picturesque view, it nonetheless provides no. 305's occupier with a reasonably spacious outlook.

7. I recognise that no. 305's windows facing the site serve a galley kitchen and a bedroom. Although the bedroom window would not directly face the flank wall of the proposed flat, the new building would still appear omnipresent and obtrusive. Furthermore, it would sit directly in front of no. 305's kitchen window and would result in there being an overbearing and obtrusive mass of built form in close proximity to it. I note the appellant's argument that the kitchen does not provide a space within which to spend much time and that its current occupier tends to be busy within it. However, that does not justify a harmful diminution to the outlook from the kitchen window. Moreover, occupation of a property may change and subsequent occupiers might not have the same lifestyle.
8. For these reasons, the proposal would run counter to saved Policy HO9 of the Runnymede Borough Local Plan Second Alteration (2001) (LP) that seeks to protect the living conditions of neighbours by ensuring adequate space is maintained between new and existing development. To my mind, such considerations are a key part of good design and considerations regarding the relationship of one development to another. The proposal would also therefore, conflict with paragraph 64 of the National Planning Policy Framework (the Framework) which says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
9. I now turn to the privacy of the occupiers of nos. 301 and 303. The main living room and bedroom windows of the proposed flat would face towards the rear garden of no. 301. Given the presence of the single-storey, pitched roof building along the service yard's boundary with this neighbouring property along with other intervening small buildings, there would be little potential for mutual views to and from no. 301's rear garden.
10. However, the proposed flat would be within sufficient proximity to allow views between its windows and those on the rear and side elevations of no. 301 at both ground and first floor levels. This relationship would be such that there would be a significant perception of being overlooked from above for that dwelling's occupiers. This would be an unsatisfactory relationship and the proposal also therefore conflicts with saved LP Policy HO9 and the Framework.
11. As with no. 305, no. 303 has its kitchen and bedroom windows overlooking the service yard. Given the relative positioning between this dwelling and the proposed flat, views towards its rear windows would be possible. However, they would be sufficiently oblique to maintain an acceptable relationship between the existing and proposed dwellings. I am therefore satisfied that the privacy of no. 303's occupiers would not be harmed.

Other Matter

12. The appeal site is within 5km of the Thames Basins Heaths Special Protection Area (SPA). The appellant has provided an executed planning obligation that makes provision for a financial contribution to access management and monitoring measures in relation to the SPA. The Council has suggested that a planning condition would also be required in order to make provision for the

delivery of Suitable Alternative Natural Greenspace. However, as I am dismissing the appeal for other reasons, I do not consider this matter further.

Conclusion

13. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector