
Appeal Decision

Site visit made on 19 July 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 02 August 2017

Appeal Ref: APP/R3650/D/17/3176072

10 Oast House Crescent, Farnham, Surrey GU9 0NR

- 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 Christopher Hunt against the decision of Waverley Borough Council.
 - The application Ref WA/2017/0329, dated 10 February 2017, was refused by notice dated 5 May 2017.
 - The development proposed is the erection of a two storey side and rear extension following demolition of existing garage and utility room.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side and rear extension following demolition of existing garage and utility room at 10 Oast House Crescent, Farnham, Surrey GU9 0NR in accordance with the terms of the application, Ref WA/2017/0329, dated 10 February 2017, 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: LPD 3238; LPD 3238 Rev B sheet 1; LPD 3238 Rev B sheet 2; LPD 3238 Rev A sheet 3; LPD 3238 Rev A sheet 4; LPD 3238 Rev B sheet 5;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The proposed first floor bedroom window in the south east elevation facing No 8 Oast House Crescent shall be obscured glazed to prevent intervisibility between the two properties before the bedroom is first used and shall thereafter be retained in that form.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormers or other openings other than those authorised by this permission shall be constructed at first floor level or above in the development hereby permitted.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of No 12 Oast House Crescent.

Reasons

3. Number 10 Oast House Crescent comprises a detached two storey house located on the north east side of the road. It has an attached single storey flat roofed garage on its north western side with a single storey side extension to the rear of that, and also an additional single storey extension at the rear of the property. No 12 Oast House Crescent is a similar property, aligned with No 10 in terms of its building footprint, but in fairly close proximity.
4. The Council is concerned that whereas the existing single storey side extension extends only 0.5m past the rear of No 12, the proposed extension would increase that to 1.5m beyond No 12 and at two storey level, before dropping down to single storey height for the remaining depth of the proposed extension. As such it is considered that the resulting impact will be overbearing on the occupiers of No 12.
5. At my site visit, I took the opportunity to assess the proposal from within the rear garden and rear rooms of No 12, as well as from the appeal site side of the boundary. In so doing, I noted that both gardens have a fairly open aspect to the rear. In my view, whilst there would be clearly some impact arising for the occupiers of No 12, I do not consider it would amount to an overbearing impact, given the limited extent in depth at two storey level and the fact that the extension would be set 1m away from the rear common boundary. I also note that the Council acknowledges that there would be no breach of the '45o rule' so that there would be unlikely to be any loss of light to rear facing rooms within No 12. I agree with that assessment having visited the site and noting the size of the windows/patio doors at the rear of No 12.
6. I acknowledge that guidance within the Council's 'Residential Extensions Supplementary Planning Document 2010', advises that there should be a distance of 3m from the side boundary where two storey extensions are proposed, in order to secure good standards of amenity. However, such guidance cannot be prescriptive and each site needs to be assessed on its own individual site circumstances and relationship with adjoining property, in order to consider any potential harm.
7. I note that the Council raises no objections from a design point of view and having observed other similar side extensions in the locality, I see no reason to take a different view. Similarly, I agree with the Council that there would be no adverse impact in terms of loss of privacy or overlooking to adjoining occupiers, subject to my comments below in respect of the occupiers of No 8 Oast House Crescent.
8. For the reasons set out above, I find that there would be no adverse impact upon the living conditions of the occupiers of No 12 Oast House Crescent. The development would therefore comply with Policies D1 and D4 of the Council's Local Plan 2002, and emerging Policy TD1 of the Local Plan Part 1: Strategic Policies and Sites 2016, in that there would be no loss of amenity and the development would be high quality.

9. Conditions requiring the development to be carried out in accordance with the approved plans and for matching materials, are necessary in the interests of certainty and visual amenity. Conditions requiring obscure glazing in the proposed first floor bedroom window facing No 8 Oast House Crescent, and the removal of permitted development rights which might enable further windows to be inserted at a later date, are necessary in order to protect the residential amenities of the occupiers of both residential properties to either side of the appeal site
10. Accordingly, subject to the above conditions, the appeal is allowed and planning permission granted.

Kim Bennett

INSPECTOR