
Appeal Decision

Site visit made on 29 August 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 12 September 2017

Appeal Ref: APP/R3650/D/17/3180149

7 Chartwell, Farnham, Surrey GU9 8SU

- 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 Trystan McDonald against the decision of Waverley Borough Council.
 - The application Ref WA/2017/0717, dated 7 April 2017, was refused by notice dated 26 June 2017.
 - The development proposed is erection of first floor front and rear dormers.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed rear dormer windows on the living conditions of the occupants of No 47 Shortheath Crescent in relation to privacy.

Reasons

3. No 7 is a detached bungalow with two bedrooms in the roof space served by rooflights. As the rooflights are set well above floor level, it is not possible to look out of them. The proposal would replace the two existing rooflights with three identical dormer windows.
4. The dwelling has a shallow rear garden and shares a boundary with No 47. The dormer windows would be only just over 5m from this boundary and would look directly over the garden of No 47. On my site visit I was able to look out of one of the existing rooflights to gain an appreciation of the distance separating the two dwellings. The garden of No 47 slopes down towards the appeal site. Its patio, immediately to the rear of the house, would be directly visible from the proposed dormers. It would also be possible to glimpse into the lounge which is served by rear facing French windows.
5. In my view the size and number of dormer windows would significantly reduce the level of privacy which currently characterises this adjacent property. This would be the case notwithstanding the appreciable separation distance between the proposed dormers and the rear elevation of the house. Furthermore, a large part of the lawn area of No 47 is well below the 18m which the Council's Supplementary Planning Document: *Residential Extensions* (SPD), recommends should be provided between dormer windows and neighbouring private amenity space.

6. I understand that No 6 has two rear facing dormers which overlook another property in Shortheath Crescent. However, that property has a deeper rear garden and the separation distance between the affected properties is closer to 50m than the 40m in the case before me. In any event I have no other details of that scheme, such as how or when it was considered by the Council. It is therefore not directly comparable with the appeal proposal which I have determined on its individual planning merits.
7. I conclude that the proposed rear dormer windows would be harmful to the living conditions of the occupants of No 47, arising from an unacceptable loss of privacy. The proposal would therefore be contrary to saved Policies D1 and D4 of the Waverley Borough Local Plan which, amongst other things, seeks to protect the amenity of occupants of neighbouring properties.
8. For this reason, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR