



Appeal Decision

Site visit made on 15 April 2019

by J Slominski BA(Hons) MCD

an Inspector appointed by the Secretary of State

Decision date: 11 July 2019

Appeal Ref: Appeal Reference: APP/Q3630/D/19/3220486

10 Larksfield, Englefield Green, TW20 0RD

- 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 S Cuff and Ms C Birney against the decision of Runnymede Borough Council.
 - The application Ref RU.18/1655, dated 18 October 2018, was refused by notice dated 14 December 2018.
 - The development proposed is Single and two storey rear extensions and first floor front extension and widening of porch.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on living conditions with particular regard to no.8 Larksfield.

Reasons

3. The appeal site is a two storey detached dwelling within a cul de sac of detached houses of varied design. The proposed development includes a part single storey, part two storey extension to the rear.
4. Policy H09 of the Runnymede Borough Local Plan Second Alteration April 2002 (the "Local Plan") requires extensions to avoid damaging local amenity, including the provision of appropriate space between homes and adequate daylight, sunlight and privacy. The Runnymede Borough Council Householder Guide Supplementary Planning Guidance (July 2003) (the "Householder Guide") advises that extensions should not significantly harm the privacy or outlook of neighbouring properties through overlooking or being over-dominant, and that as a guide ground floor extensions are acceptable where they do not extend more than 3 metres from the rear of the property or a 60 degree line from the centre of the nearest adjoining neighbour's window. Policy H09 is consistent with paragraph 127 of the National Planning Policy Framework ("the Framework") which requires developments to result in a high standard of amenity for existing and future users.
5. No.10 is separated from no.8 to the south by a side passage which is approximately 1.3m wide. The existing two storey part of no.10 already extends approximately 3.4m further rearwards than the closest part of the rear elevation of no.8, and the proposed extension, at an additional 4m deep, would result in an approximately 7.4m deep projection close to the boundary with

- no.8. The single storey part of the extension would be 2.95m high and would be noticeably taller than the existing timber fence separating the properties. It would significantly exceed the 3 metre guidance set out in the Householder Guide, and would obstruct the 60 degree line from the nearest ground floor window at no.8. The Householder Guide should not be applied mechanistically, and regard must be paid to the overall amenity impacts of the proposal. However, following the development No.8 would experience constrained outlook and an overbearing sense of enclosure due to the over-dominant scale of the extension. Although the majority of the impact would arise from the single storey part of the extension, the first floor part of the extension would also be very prominent at the rear garden of no.10 and combined with the fact that no.10 already projects rearwards of no.8 the overall effect of the proposal would unacceptably harm living conditions at no.8.
6. The proposed development would therefore be contrary to Policy H09 of the Local Plan and the guidance within the Householder Guide and the Framework.
 7. The appellant has drawn my attention to their fallback positions which are material considerations. They have advised that they could construct a 4m deep extension using permitted development rights (evidenced by lawful development certificate RU.18/1271), however as such an extension would only be single storey and would therefore less dominant than the appeal proposal I do not consider that fallback position to justify the extent of harm caused by the appeal proposal. The appellant's opinion is that if they were to proceed with that single storey extension, they would be able to then achieve planning permission for the first floor extension at a later date. Planning permission for such a scheme has not been granted, therefore I can only place limited weight on that fallback position, noting that although the Council have not objected to the proposed first floor extension in isolation, the cumulative effect of all parts of the proposal would be more harmful than just the single storey element of the extension.
 8. A second fallback position is provided by planning permission RU.18/0648 which proposed a smaller extension that complies with the 60 degree line described in the Householder Guide. Again, that development would be less harmful than the appeal proposal and does not justify the harm caused.
 9. I have considered the representations made by the other neighbours, which include concerns about loss of daylight, sunlight and privacy. Although the development would have some effects on other neighbouring properties, including views over the rear garden of no.4 (which is already overlooked by the surrounding properties), the development would not cause significant harm to the amenities of the occupants of nos.4, 6, or the other surrounding neighbours. However, that lack of harm does not outweigh the harm to no.8 that I have identified.
 10. Having had regard to the above, and the other matters raised, I find that the proposed development does not comply with the development plan and that there are no material considerations which outweigh the provisions of the development plan. The appeal is therefore dismissed.

Jan Slominski

INSPECTOR