



Appeal Decision

Site visit made on 20 January 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 January 2020

Appeal Ref: APP/R3650/D/19/3235350

53 Heath Lane, Upper Hale, Farnham, Surrey GU9 0PR

- 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 J Lewington against the decision of Waverley Borough Council.
 - The application Ref WA/2019/0627, dated 28 March 2019, was refused by notice dated 8 July 2019.
 - The development proposed is front and rear two storey additions with alterations to existing dwelling.
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Decision

1. The appeal is allowed and planning permission granted for front and rear two storey additions with alterations to existing dwelling at 53 Heath Lane, Upper Hale, Farnham, Surrey GU9 0PR in accordance with the terms of the application, Ref WA/2019/0627, dated 28 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale 'Location Plan'; 1:500 scale 'Site Layout Plan'; 'Floor Plans as Proposed' 1918-4; 'Elevations as Proposed' 1918-5; and 'Elevation as Proposed' 1918-6.
 - 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.

Main Issue

2. The Council's refusal notice refers to the effect of the development on the living conditions of the occupiers of No 51 Heath Lane in respect of privacy. It also states *"Furthermore, it is noted that there is existing screening however, the increase in height bulk and massing combined with the shallow depth of the rear garden means the proposal will result in an overbearing impact"*. In respect of the latter issue, it is clear from reading the Council's officer report that this relates to No 55 Heath Lane.
3. Therefore, the main issue is the effect of the proposal on the living conditions of the occupiers of No 51 Heath Lane in respect of privacy and the occupiers of No 55 Heath Lane in respect of outlook.

Reasons

4. The appeal site is located on the north-east side of Heath Lane and contains a detached bungalow. The development would form front and rear two-storey additions to the existing property. It would extend the property approximately 5.5 metres beyond the existing main rear elevation of the bungalow; thus around 1.0 metre beyond the line of the boundary forming the rear garden of the detached bungalow at No 55 and around 3.5 metres beyond the line of the rear elevation of the single-storey rear extension of the detached two-storey property at No 51.
5. The windows within the first-floor rear elevation of the proposed extension would serve the master bedroom. Whilst outlook would be primarily toward the bungalow's own rear garden, there would be oblique views to the rear part of the garden of No 51. However, views would be interrupted to a degree by virtue of screening afforded by tall shrubs and other foliage along the boundary between the appeal site and No 51. Furthermore, the degree of overlooking would not be dissimilar to that commonplace within built-up areas and would not, therefore, result in any undue loss of privacy.
6. The existing outlook from the windows within the rear elevation of No 55 is toward its relatively shallow rear garden. The development would extend beyond the line of the boundary forming the rear garden of No 55. However, taking into account that it would be set back approximately 1.0 metre from the common boundary with No 55 and the roof would slope away from No 55 and its rear garden, in combination with the presence of screening afforded by existing tall hedging along the common boundary between the appeal site and No 55, the proposal would not have a significant enclosing effect and therefore would not be a dominant or overbearing feature in the outlook from the garden or windows of No 55.
7. Taking all these matters into account, I therefore conclude that the proposed development would not result in a harmful change to the living conditions of the occupiers of No 51 in respect of privacy and the occupiers of No 55 in respect of outlook. Consequently, it would accord with Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018; Policies D1 and D4 of the Waverley Borough Local Plan 2002; Policies FNP1 and FNP16 of the Farnham Neighbourhood Plan 2017; and the Residential Extensions Supplementary Planning Document 2010 which, amongst other things, set out to ensure proposals avoid harmful effects upon the living conditions of the occupiers of existing development.

Other Matters

8. Concern has been raised by a third party that the first-floor windows in the front elevation of the proposed development, which would serve two bedrooms and a landing, would overlook their property on the opposite side of Heath Lane. However, the separation distance between No 18 Heath Lane and the front elevation of the proposed development would be around 32.0 metres at its closest, therefore there would be no significant loss of privacy for occupiers of No18.
9. I note also concern has been raised by a third party that the proposal would have a significant impact on the availability of light and visual amenity available to the ground and first floor rooms of their property, that have

windows facing towards No 53. These concerns are not shared by the Council. Based on my site observations I see no reason to disagree.

10. None of the other matters raised alter or outweigh my conclusion on the main issue.

Conditions

11. Planning permission is granted subject to the standard three-year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect. In the interests of the character and appearance of the area it is necessary to impose a materials condition.

Conclusion

12. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Andrew Bremford

INSPECTOR