
Appeal Decision

Site visit made on 2 June 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2020

Appeal Ref: APP/Y3615/D/20/3246945

21 Stocton Road, Guildford, Surrey GU1 1HH

- 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 & Mrs D Jackson against the decision of Guildford Borough Council.
 - The application Ref 19/P/02014, dated 20 November 2019, was refused by notice dated 10 January 2020.
 - The development proposed is a part-single/part-two storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of proposed development shown on the Council's decision notice and the appellants' appeal form is more concise than the description shown on the planning application form. I have therefore used this description in the banner heading and determined the appeal on this basis.
3. The appellants' statement submits that there appears to be a discrepancy between the size of the extension proposed in the current appeal scheme and a previous prior notification application for a single storey rear extension, which was refused by the Council. I have determined the current appeal scheme on its own merits having regard to the plans that were considered by the Council. In particular, drawing No JDS/1404 P01 shows a stated dimension of 8000mm for the depth of the ground floor of the proposed extension and drawing No JDS/1404 P02 shows a stated dimension of 3000mm for the depth of the first floor.

Main Issues

4. The main issues are the effect of the proposed development on (i) the living conditions of the occupiers of No 23 Stocton Road with particular regard to outlook, and (ii) the character and appearance of the host dwelling and the surrounding area.

Reasons

Living conditions

5. The existing rear elevation of the appeal property is sited beyond the 2 storey rear wall of No 23 Stocton Road. No 23 has a ground floor rear extension, which is roughly level with the rear elevation of the appeal property.

6. The 2 storey part of the proposed extension would be around 3 metres deep and the single storey part would extend approximately 5 metres further to the rear. Whilst the depth of the 2 storey part would in itself be quite modest, the combined effect of the single storey and 2 storey parts of the proposed extension would create an enlargement of significant bulk close to the boundary.
7. I acknowledge the appellants' comments that the 45 degree line, as referred to in the Residential Extensions and Alterations Supplementary Planning Document 2018 (the SPG), is a guide. Nevertheless, the proposal would appear as an imposing feature in relation to the adjacent ground floor patio doors and garden of No 23. Whilst quite long, the garden of No 23 is not particularly wide and the proposed extension would appear overbearing and cause an unacceptable sense of enclosure. It would therefore cause a significant loss of outlook to the occupiers of No 23.
8. The nearest first floor rear window of No 23 would not be significantly affected by the proposal due to its upper floor position, however this would not overcome the harm identified above.
9. The appellants have drawn my attention to a part 2 storey, part single storey rear extension at No 18 Stocton Road and it is stated that this was approved by the Council in November 2015. Nonetheless, based on the submitted information, I have ascertained that the current appeal scheme would be deeper than the extension at No 18 at both ground and first floor levels (the plans for No 18 show that the depth of the extension at ground and first floor would be around 6 metres and 2 metres respectively). Furthermore, the neighbouring garden at No 23 appears to be narrower than the garden at No 16 (the adjacent property to No 18). As such, the circumstances at No 18 are not directly comparable. In any event, I am not bound by other decisions of the Council and I have determined the appeal scheme on its individual planning merits.
10. For the above reasons, I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 23 Stocton Road. The proposal would therefore be contrary to saved Policy G1 (3) of the Guildford Borough Local Plan 2003 and guidance in the SPG which, amongst other things, seeks to protect the amenities enjoyed by occupants of buildings from unneighbourly development. It would also be contrary to paragraph 127 of the National Planning Policy Framework, which, amongst other things, seeks a high standard of amenity for existing and future users.
11. The Council has cited Policy D1 of the Guildford Borough Local Plan Strategy and Sites 2015 – 2034 in the reason for refusal, however this policy does not directly refer to the protection of amenities and so it is not relevant to the first main issue.

Character and appearance

12. The appeal property is a detached dwelling which is located within a row of dwellings of varied design. No 21 is designed with a dual-pitched roof and gables to the front and rear. Flat-roofed dormers are positioned on each side roof slope.

13. The depth of the 2 storey part of the proposed extension, at around 3 metres, would be modest and would therefore be proportionate to the existing dwelling. Furthermore, the gabled roof design would respect the form of the main roof. The ridge and eaves of the proposed extension would be set down slightly from the main roof, and I do not share the Council's view that this would create a piecemeal appearance.
14. The ground floor element of the proposal would extend approximately 5 metres further to the rear and so its depth would be considerable. Nevertheless, it would not project beyond the neighbouring single storey rear extension at No 19, which would limit its effect on the character and appearance of the surrounding area. The appearance of the single storey part, including a flat roof and lantern, would be simple and would integrate satisfactorily with the host dwelling.
15. For the above reasons, I conclude that the proposed development would maintain the character and appearance of the host dwelling and the surrounding area. The proposal would therefore comply with Policy D1 of the Guildford Borough Local Plan Strategy and Sites 2015 – 2034, saved Policy G5 (2) of the Guildford Borough Local Plan 2003 and guidance in the SPG, which, amongst other things, seek high quality design and extensions that have no adverse effect on the scale and character of the dwelling. The proposal would also accord with Chapter 12 of the National Planning Policy Framework, which seeks a well-designed built environment.

Other Matters

16. The appellants state that the local plan is out-of-date and therefore little or no weight should be given to the policies contained within it. As stated in paragraph 213 of the Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Based on the information before me, I consider that the relevant policies referred to are consistent with the provisions of the Framework, particularly Chapter 12 which seeks high quality design and a high standard of amenity for existing and future users. I therefore give substantial weight to the conflict with saved Policy G1 (3) of the Guildford Borough Local Plan 2003.
17. I have had regard to the appellants' statement that the proposal would meet their need for additional living space and would provide accommodation for other large families in future. There would be some economic benefits associated with the construction and occupation of the development, however these would be minor given the small scale of the development. Nevertheless, the modest benefits of the proposal would not outweigh the significant harm to the living conditions of the occupiers of No 23 Stocton Road.

Conclusion

18. I have found that the proposed development would maintain the character and appearance of the host dwelling and the surrounding area. However, it would cause significant harm to the living conditions of the occupiers of No 23 Stocton Road and this is a sufficient reason to dismiss the appeal.

19. For the above reasons, and having had regard to all other matters, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR