



Appeal Decision

Site visit made on 14 July 2020

by N Thomas MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/Y3615/C/19/3240656

Land at 34 Merrow Woods, Guildford GU1 2LH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Max Harle against an enforcement notice issued by Guildford Borough Council.
 - The enforcement notice, numbered EN/19/00128, was issued on 10 October 2019.
 - The breach of planning control as alleged in the notice is without planning permission the erection of a single storey side extension.
 - The requirements of the notice are either:
 1. Demolish the unauthorised side extension in its entirety and remove the resultant materials and waste from the land, or;
 2. Alter the side extension so that it complies with the approved drawings and other matters specified in conditions 2 and 3 of planning permission 19/P00017 and remove the resultant materials and waste from the land.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a), (f) and (g) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of a single storey side extension at land at 34 Merrow Woods, Guildford GU1 2LH as shown on the plan attached to the notice.

Background

2. The appeal site is a detached bungalow. Planning permission¹ was granted for a single storey side extension with a flat roof, which would be roughly level with the eaves of the bungalow. A side extension has been built with a higher flat roof with a parapet wall. Planning permission² has been refused for the extension as built. I saw on my site visit that the walls of the extension and the existing bungalow have now been rendered, although the bungalow was originally finished in brick.

¹ Ref 19/P00017

² Ref 19/P00981

The ground (a) appeal and the deemed application

3. This ground of appeal is that planning permission should be granted. Having regard to the reasons for issuing the enforcement notice, the main issue is the effect of the development on the character and appearance of the site and surrounding area.
4. This part of Merrow Woods is a residential cul-de-sac which mainly consists of bungalows, with some taller chalet type bungalows around the turning head. The bungalows are set a similar distance from the road behind front gardens, but have a variety of designs, including gable ends, hipped roofs and porches. There is also a range of external materials, with different brick colours and some timber cladding. There is therefore no prevailing built form but there is nonetheless a degree of uniformity due to the position of the bungalows in their plots and the generally consistent overall ridge heights.
5. The bungalow on the appeal site has a front facing gable with a projecting overhang and white bargeboards. It is the first dwelling on this side of the cul-de-sac and is adjacent to a detached garage, which is to the rear of the back garden of 36 Merrow Woods on a corner plot. As a result, the property is well screened in views in the approaches to the site.
6. The single storey side extension has an unusual appearance due to its high parapet wall, taller than the eaves height of the main bungalow, and contrasting with its pitched roof form. However, the extension is set slightly behind the projecting overhang of the main bungalow gable and the garage to the neighbouring house and is significantly lower than the overall height of the bungalow. As a result, it is not prominent in the street scene. It appears as a contrasting feature that has added visual interest to the bungalow, and I do not agree that it is incongruous or out of character in this setting.
7. I therefore do not find that the development is harmful to the character and appearance of the site or surrounding area. It is therefore not in conflict with Policy D1 of the Guildford Borough Local Plan 2019, or Policies G5 and H8 of the Guildford Borough Saved Local Plan 2003, insofar as they seek to ensure that new development achieves high quality design that responds to the distinctive local character of the area in which it is set, and that extensions to dwellings are not harmful to the scale and character of the dwelling. It also does not conflict with the guidance in the Residential Extensions and Alterations Supplementary Planning Document 2018 and the National Planning Policy Framework.
8. For the reasons given above, I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development as described in the notice. The appeals on grounds (f) and (g) do not therefore fall to be considered.

N Thomas

INSPECTOR