
Appeal Decision

Site visit made on 4 August 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2020

Appeal Ref: APP/D3640/W/20/3248148
101 Park Street, Camberley GU15 3NU

- 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 Hassan Mokarrami against the decision of Surrey Heath Borough Council.
 - The application Ref 19/2007/FFU, dated 17 September 2019, was refused by notice dated 23 December 2019.
 - The development proposed is described as two storey side and rear extension and two storey first floor rear extension including rear dormer and front rooflights to facilitate conversion of existing dwelling to four flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The living conditions of nearby residents, with particular regard to overlooking; and
 - The character and appearance of the area.

Reasons

Living conditions

3. Judging from their external appearance, the appeal site is surrounded by mostly residential units which dominate the surrounding area. Due to its fairly unique position, the appeal site has the potential to overlook, not just properties on either side of the appeal site, but also properties which back onto the rear of the site at different angles, mainly 82 Middle Gordon Road.
4. The proposal includes the construction of a two-storey rear extension with a rear dormer window on the first floor of the proposed development. The proposed extension, including the dormer window on the first floor, would face directly onto the rear garden of the property.
5. Nevertheless, due to the site's shape and its position in relation to No 82 Middle Gordon Road, the proposed development would allow for oblique views into the rear elevation of the latter, as well as the rooms located on the upper floor of the property.

6. Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (2012) (the CSDM Plan) states that development will be acceptable where it respects the amenities of occupiers of neighbouring properties.
7. The dormer window on the first floor would serve one of the bedrooms of the proposed 2 bed duplex and therefore constitute one of the main habitable rooms of the proposed flat.
8. Although the rear elevation of the dwelling at No 82 would be at some distance from the appeal site, due to the elevated position and size of the rear dormer window of the proposed development, it is likely that the present proposal would allow for fairly unobstructed views into habitable rooms at the rear of No 82, as well as into its garden and its private amenity space.
9. There is at present a mature tree at the back of the rear garden of the appeal site and also some mature high shrubs which, were the development to be allowed, would offer some protection to the living conditions of nearby and future occupiers of the development. Nevertheless, considering the distance and angle at which the proposed development would face the rear elevation of No 82, as well as the size of the proposed mansard window and its use, it is likely that the proposed development would have a material impact on the living conditions of the occupants of nearby properties, namely of No 82, as well as future occupants of the development.
10. In conclusion, the proposed development would have a harmful impact on the living conditions of occupants of nearby properties and occupiers of the development, particularly in terms of overlooking. Consequently, and in that regard, it would be contrary to Policies DM9 of the CSDM Plan which seeks to ensure that new development safeguards the amenity of occupiers of neighbouring properties.

Character and appearance

11. The appeal site is a semi-detached two-storey dwelling, located along Park Street, in a predominantly residential area, characterised by two-storey residential dwellings, the majority of which are semi-detached and slightly set back from the road, with small front gardens.
12. No 101 Park Street is paired with No 103. Both properties are of a similar height and share some common architectural features, such as the bay windows on the ground floor, but both properties have been altered. Their external appearance is significantly different from each other, with No 103 having a two-storey high side extension, clearly subservient to the host dwelling.
13. The proposed side extension would be set back from the front elevation of the host dwelling and set slightly lower from the existing eaves and ridge. The proposed fenestration would relate well to the original form of the host building and the proposed external finish would be an improvement on the existing pebbledash.
14. Considering that the appeal site is paired with 103 Park Street and that 103 has a two storey extension, the proposed extension would contribute to restoring some balance between No 101 and No 103.

15. I do acknowledge that the proposed would also result in a considerable reduction of the gap between No 101 and No 99 Park Street due to its height and form. Nevertheless, as No 101 is paired with 103 and the proposed extension would bring the host building more broadly in line, in terms of its overall height and appearance, to 103 Park Street, the proposal would not be harmful to the character and appearance of the host building and the surrounding area.
16. In conclusion, and for the reasons stated above, I find that the proposal would not be harmful to the character and appearance of the area. Consequently, and in that regard only, the proposal would be in accordance with Policy DM9 of the CSDM Plan, which seeks to ensure that development respects and enhances the local, natural or historic character of the urban environment.

Conclusion

17. In conclusion, I have found that the proposed development would not have a significant detrimental impact on the character and appearance of the area. However, this is outweighed by the proposal's likely adverse impact on the living condition of the occupants of nearby properties and future occupants of the development.
18. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR