



Appeal Decision

Site Visit made on 23 March 2021

by S Harley BSc(Hons) M.Phil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 12th April 2021

Appeal Ref: APP/Y3615/D/20/3261934

1 Old Palace Road, Guildford, GU2 7TU

- 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 James Bronk against the decision of Guildford Borough Council.
 - The application Ref 20/P/00970, dated 16 June 2020, was refused by notice dated 6 August 2020.
 - The development proposed is demolition of existing garage. Erection of single story rear extension and side extension plus alterations to the driveway.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single story rear extension and side extension plus alterations to the driveway at 1 Old Palace Road, Guildford, GU2 7TU in accordance with the terms of the application, Ref 20/P/00970, dated 16 June 2020, and the plans submitted with it, 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: 2481-01 A, 2481-02 A, 2481-03 A, 2481-04 A, 2481-05 A, 2481-06 A.
 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. Planning permission is not required for the demolition of the garage. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling, the street scene, and the surrounding area.

Reasons

3. The appeal property is a detached two storey house in a relatively large garden within the built up area of Guildford. Adjacent properties are mainly detached and semi-detached houses. The Council's Residential Extensions and Alterations Supplementary Planning Document 2018 (the SPD) gives guidance on extensions to houses.
4. The extension would be L-shaped and positioned to the rear of the existing house. It would project some 5m from the existing rear wall in part. The side part of the extension would overlap the footprint of the existing garage,

extending as far back as the rear wall of the garage. As the garage is positioned a little way behind the house, this part of the extension would project some 9.5m behind the existing house. The extension would have a maximum width of about 9.6m at the rear of the house and in part would be across almost the total width of the appeal site (with a small inset from the boundary with No 3 Old Palace Road). The roof would be a combination of pitched and flat roofed elements with a maximum height of 4 metres, well below that of the roof of the existing house.

5. The extension would have a large footprint compared to the existing house. However, there would be ample garden space retained. Moreover, the side extension would not be more than half the width of the existing house which, together with the L-shape of the design and relatively low roof heights, leads me to conclude that the proposed scale, proportion, and mass would not be so out of keeping with the existing property as to justify withholding permission. Parts of the roof would be flat but would predominantly be edged by elements of pitched/hipped roofs. Although this would make the roof more complex it minimises the overall height required and so would not be over dominant in relation to the host dwelling.
6. No part of the extension would be in front of the rear wall of the existing house. It would therefore not be visually intrusive in views from Old Palace Road. Nor would the extension be prominent in street scene views from Agraria Road or Iveagh Road due to the distances away, intervening buildings, and the relatively narrow gaps between them. I find the proposal would accord with the preference for side or rear extensions set out in the SPD and would not adversely alter the street scene.
7. The SPD advises that generally, creating and maintaining a meaningful 'gap' between properties of one metre or more will help to reduce the terracing affect created by buildings being located too close together, particularly at first floor and roof level. However, there is no neighbouring building adjacent to the side extension so no terracing would occur. The SPD does indicate that a gap of 1m to the boundary of a neighbouring property will ensure room for maintenance. However, there appears to be some conflict between the written and pictorial guidance in the SPD. Moreover the design and pitch of the proposed single storey extension would help facilitate easy maintenance of gutters. In any event land ownership, maintenance and boundary matters are private matters for the landowners involved.
8. For the reasons set out above I conclude the proposed extension would not have a harmful effect on the character and appearance of the host dwelling, the street scene, or the surrounding area. I therefore find no conflict with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2019, Saved Policies G5 and H8 of the Guildford Borough Local Plan 2003, or those principles of the National Planning Policy Framework that seek to ensure development has an acceptable effect on the character of the local area. There would be some conflict with the written SPD in terms of closeness to the boundary. However, the SPD is for guidance and in many other respects the proposal complies with that guidance.

Other Matters

9. I acknowledge the concerns expressed by occupiers of Nos 83 and 85 Agraria Road in relation to the effect on their living conditions of the extension at the height proposed so close to the boundary fence and the access arrangements to the rear garden of the appeal site. However, there are outbuildings in the gardens of the adjacent properties close to and projecting above the fence and the existing garage at the appeal site is already close to the boundary. Although the extension would be taller than the neighbouring outbuildings and would be almost the width of both gardens, the Council raises no objections to the effect of the proposal on the living conditions of occupiers of neighbouring properties.
10. Due to the height and angle of the extension and separation distances the proposal would not encroach on the 45 degree angle in relation to No 3 Old Palace Road or cause a loss of light or appear over bearing to occupiers of that property. Due to the size and siting of the extension and the distance from them there would be no detrimental loss of light or over shadowing of windows in Nos 83 and 85 Agraria Road. Although there would be likely to be some effect on the outlook from these gardens and sunlight later in the day, I find no compelling evidence to reach a conclusion different to that of the Council.

Conditions

11. As well as the standard condition specifying the time limits for the commencement of development compliance with the approved plans is necessary to provide certainty. Materials for external surfaces should match those of the existing building in the interests of the appearance of the area.

Conclusion

12. I have found no conflict with the development plan and no material considerations indicate that the decision should be otherwise than in accordance with it. The appeal should succeed.

S Harley

INSPECTOR