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## Appeal Decision

Site visit made on 18 March 2021

**by G Ellis BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 June 2021**

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**Appeal Ref: APP/Q3630/D/20/3265421**  
**74 Wheatash Road, Addlestone KT15 2ES**

- 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 Ms Beata Zegzula-Koszczewa against the decision of Runnymede Borough Council.
  - The application Ref RU.20/1104 dated 11 August 2020, was refused by notice dated 8 October 2020.
  - The development proposed is a two-storey side, single storey rear extension and conversion of loft to habitable accommodation including a rear dormer.
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### Decision

1. The appeal is allowed, and planning permission is granted for a two-storey side, single storey rear extension and conversion of loft to habitable accommodation including a rear dormer at 74 Wheatash Road, Addlestone KT15 2ES in accordance with the terms of the application, Ref RU.20/1104 dated 11 August 2020 subject to the following conditions: -
  - 1 The development hereby permitted shall begin no 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: 2022 100 Rev C – Location Plan, 2022 101 Rev C - Proposed Site & Floor Plans and 2022 102 Rev C - Proposed Elevations & Section.
  - 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.
  - 4 The windows serving the bathroom and en-suite shall be fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

### *Preliminary Matters*

2. The description of development has been taken from the appeal form and decision notice as it provides clarity in relation to the elements of the development compared to the original description.

## **Main Issue**

3. The main issue is the effect of the development on the living conditions of the occupiers of 72 Wheatash Road (No.72) with regards to outlook, overbearing impact and overshadowing.

## **Reasons**

4. 74 Wheatash Road (No.74) is a semi-detached property located to the northern side of Wheatash Road and lies at the end of the main run of houses. To the other side is a terraced row houses which are set further back and have attached flat roofed garages to the front.
5. The Council's reason for refusal relates to the rear extension only. From what I saw on site, including the existing dormer to No.72 and the open aspect to the side of the property, I have no reason to disagree with their assessment with regards to the other elements of the proposal.
6. The proposed single storey rear extension would extend across the full width of No.74, including the proposed side extension, thereby filling the full width of the plot. Along the shared boundary with No.72 the extension would extend approximately 5m into the garden and would be approximately 0.6m higher than the existing boundary wall with a roof sloping up to a central ridge.
7. Runnymede 2030 Local Plan (LP) policy EE1 requires development to achieve high quality and inclusive design and notably sets out that proposals will be supported provided that they ensure no adverse impact on the amenities of the occupiers of the development or to neighbouring property.
8. The Council directly rely on the details in the Householder Guidance Supplementary Planning Guidance (SPG) indicating that the rear extension is a substantial departure from this guidance as it would be more than 3m deep and breach the 60-degree line. I accept that the proposal would exceed these measures, however this is guidance. The context of the site and development must also be taken into account, and I note that the Council have applied the SPG flexibly in considering the side extension, which extends up to the boundary.
9. Furthermore, the SPG was produced to support policies in the previous Local Plan and is dated, having been adopted in 2003. Additionally, provisions for potential householder alterations have changed in recent years. The appellant points out that permitted development rights would allow for a single storey rear extension up to 6m in depth to a semi-detached property (this is subject to prior approval). Therefore, whilst the general principles of the SPG are applicable, I can only give this guidance limited weight.
10. The wall to the rear extension would be slightly higher than the existing boundary wall but would not be as deep. As such, contrary to the Council's position, I do not find that the scale of development would be so significant to have an overbearing impact on No.72. The proximity to the neighbouring property would remain the same and whilst the roof would be visible along its depth it slopes away from the boundary at a low pitch (approximately 20 degrees) with the ridge positioned over 3m from the boundary. In my view this would not be unduly detrimental to the outlook from No.72.

11. Moreover, the extension is located to the northeast of No.72. Given the orientation of the properties and the single storey form of the rear extension I do not find that it would cause unacceptable overshadowing.
12. Overall, whilst the extension is deep and would exceed the guidance in the SPG, I do not find, having regard to the design and the relationship with the neighbouring property, that it would materially harm the living conditions of the occupiers of No.72. On this basis I do not find that the proposal would conflict with policy EE1 of Runnymede 2030 Local Plan. Accordingly, I allow this appeal.

### **Conditions**

13. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty, and a materials condition is included to ensure that the extensions match to the existing property.
14. The Council in their officer's report indicate that the upper windows closest to No.76 in the rear elevation should be conditioned to be obscurely glazed to protect privacy. Given the forward position of No.74 and the reduced separation as a result of the side extension I agree that a condition is necessary, and as these windows serve bathrooms this restriction would be reasonable.

### **Conclusion**

15. For the reasons set out the appeal is allowed, and planning permission granted.

*G Ellis*

INSPECTOR