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# Appeal Decision

Site Visit made on 15 June 2021

**by Mr James Blackwell LLB (Hons)**

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

**Decision date: 01 July 2021**

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**Appeal Ref: APP/Y3615/D/21/3270350**

**48 Wodeland Avenue, Guildford, Surrey GU2 4LA**

- 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 Tim John against the decision of Guildford Borough Council.
  - The application Ref 20/P/01923, dated 12 November 2020, was refused by notice dated 17 February 2021.
  - The development proposed is demolition of the roof for the erection of a new floor with both front and rear roof lights and alterations.
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## Decision

1. The appeal is allowed and planning permission is granted for the demolition of the roof for the erection of a new floor with both front and rear roof lights and alterations at 48 Wodeland Avenue, Guildford, Surrey GU2 4LA in accordance with the terms of the application, Ref 20/P/01923, dated 12 November 2020, and the plans submitted with it, subject to the following conditions:
  - (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
  - (2) The development hereby permitted shall be carried out in accordance with the following drawings: WA/01 Rev A Proposed Plans; WA/02 Proposed Front/Street Scene; WA/03 Rev A Proposed Elevations; WA/04 Rev A Proposed Site and Roof Plan; WA/05 Site Location Plan; and ENC-170614-4Q2 Rev 2.
  - (3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
  - (4) All new side-facing windows above ground floor level shall be fitted with obscured glass and no part of those windows that are less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Once installed, the windows shall be retained as such thereafter.

## Preliminary Matters

2. During the planning application process the appellant submitted revised plans to remove a proposed rear dormer, in an effort to overcome some of the Council's concerns regarding the development. Since the rear dormer is no longer included in the plans, I have taken the description of development from the Council's decision notice as this more accurately describes the development now proposed.

## Main Issues

3. The main issues are the:

- the effect of the proposed development on the character and appearance of the appeal property and the surrounding area; and
- the effect of the proposed development on the living conditions of the occupiers of Nos 46 and 50 Wodeland Avenue, with regard to outlook and natural light.

## Reasons

### *Character and Appearance*

4. The appeal property is a detached two-storey dwelling located on a residential road approximately 0.5km from Guildford town centre. It has a hipped roof and a front gable which sits over bay windows at ground and first floor level. The dwelling is set back from the road and is separated from both adjacent neighbours by a modest gap. Other properties along the road are mostly detached or semi-detached and vary in terms of size, style and design.
5. The development proposed would reconfigure the existing roof to accommodate an additional floor. The proposed new roof would include slopes at the front and back, which would join a hidden flat roof over the bulk of the property. The design would raise the dwelling's roof height in line with its neighbouring properties along the road.
6. The Council has indicated that the new roof design would be out of keeping with the street scene, as the current roof of the appeal property matches the design of its neighbouring properties which helps contribute to the symmetry between these dwellings. Whilst I acknowledge that the appeal property does currently share some similarities with the detached dwellings to its west in terms of roof design, it also differs significantly from these properties due to its much narrower frontage and its lower roof line. The symmetry that is shared between the dwellings to its west therefore does not apply to the appeal property in the same way.
7. Due to these distinguishing features, the proposed alterations could be carried out without impacting on the uniformity that is shared between the neighbouring properties to its west. The proposed development would improve the appearance of the appeal property itself, as it would no longer appear dwarfed by the dwellings on either side. Similarly, it would contribute positively to the wider street scene, as the roof topography along the road would be more consistent. Moreover, the proposed roof would improve the relationship between the appeal property and Nos 46 and 44 to its east, as both these properties already include a front slope with gable feature, similar to the design proposed in this instance. The increased consistency between these properties would again complement the street scene.
8. Whilst I acknowledge that flat roofs are generally discouraged by the Local Plan<sup>1</sup>, the element of the roof which is flat has been sympathetically designed so that it is hidden from view due to the front and rear roof slopes, and would not therefore be harmful to the appearance of the dwelling nor the wider street

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<sup>1</sup> Guildford Borough Local Plan 2003, Policy G5(6)

scene. The roof extensions at Nos 46 and 44 also incorporate flat roofs at the rear which are more visible than the hidden flat roof proposed in this instance, so the development proposed would not be unique, as there are already other examples of flat roofs along the road.

9. The Council has raised concerns that the increase in roof height would appear dominant, as it would lead to a “top heavy” house. I do not agree with this view. The increase in height is modest, and simply aligns the ridge height with other neighbouring properties. Whilst the proposal would introduce a new storey, the top floor would be integrated within a sloped roof at the front and back, which ensures the additional storey would appear proportionate to the existing dwelling, and not overly dominant when viewed from the street. The proposal would also be commensurate with other roof extensions and conversions along the road and would therefore integrate well with the wider street scene.
10. The proposed development would include 2 roof lights at the front which would be visible from the road. The Council has argued that none of the neighbouring properties have front roof lights, and so their introduction would cause a visual imbalance and unsympathetic relationship with its neighbouring properties. The appellant has provided photographs of numerous properties along the road which do include front roof lights, which demonstrates that the Council’s position on this point is not accurate. The presence of front roof lights on neighbouring properties was also readily apparent on my site visit. On this basis, I do not consider that the proposed front roof lights would cause any imbalance with neighbouring properties, as they are already a feature of the street scene.
11. The proposed development would raise the roof height of the appeal property, which would allow it to integrate more seamlessly with the current street scene. It would also improve the consistency in design between the appeal property and the neighbouring dwellings at Nos 46 and 44. For these reasons, the proposal would improve the character and appearance of the appeal property itself and the wider street scene. The development would therefore be consistent with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 – 2034 (2019), and policies G5 and H8 of the Guildford Borough Local Plan (2003). Together, these policies require new development to achieve high quality design which is responsive to distinctive local character, and which respects established street patterns, scale, height and relationships with other buildings. The proposal would also be consistent with the overarching design objectives of the National Planning Policy Framework.

#### *Living Conditions*

12. The Council has raised concerns regarding the impact of the proposed development on the living conditions of No 46, in terms of both outlook and natural light at its rear. This is primarily due to the additional height of the proposed development. Whilst the height of the appeal dwelling would increase, the change would be modest, as its height would only increase in line with the ridge height of Nos 46 and 50. The new roof would also incorporate slopes at both the front and the rear. This means the increase in height primarily affects the mid-section of the appeal property only (i.e. the section under the hidden flat roof), rather than the height of its front or rear elevations. Even though the appeal property does project out further than No

46 at the rear, the design of the proposed new roof would ensure that the height of this section of the dwelling would not be substantively different to what it is now. As a result, I am satisfied that the additional height would not have any meaningful impact on outlook or levels of natural light currently experienced at the rear of No 46.

13. No 50 shares a similar rear building line to the appeal property. Whilst the proposed development would increase the height of the appeal property, as already highlighted, this would only be in line with the roof height of No 50. It follows that any impact on No 50 in terms of overbearance would essentially be comparable to the impact that No 50 currently has on the garden of the appeal property. On my site visit, I was satisfied that the height of No 50 did not give rise to an unacceptable feeling of overbearance within the garden of the appeal property over and above what would be expected between two neighbouring gardens. Consequently, I do not consider that any potential impact of the development on No 50 would be significant.
14. For the reasons set out above, I am satisfied that the proposed development would not cause an unacceptable level of harm to the living conditions of Nos 46 or 50, in terms of overbearance or impact on natural light. The proposals would therefore be consistent with policies H8 and G1(3) of the Guildford Borough Local Plan 2003, which seek to ensure that new development does not impact adversely on the amenity of the occupiers of neighbouring properties, including effects on outlook and natural light.

### **Conditions**

15. I have included a standard plans condition to ensure clarity over the development permitted. To ensure the development is consistent with the current design of the appeal property, I have included a condition requiring the external finishes to match those of the existing property. I have also included a condition requiring the windows on the side elevations of the property to be fitted with obscure glass, with no part of those windows being able to be opened unless higher than 1.7m. This will ensure the privacy of the occupiers of neighbouring properties is sufficiently protected.

### **Conclusion**

16. For the reasons given above and subject to the conditions specified I conclude that the appeal should be allowed.

*James Blackwell*

INSPECTOR