



Appeal Decision

Site Visit made on 17 June 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2021

Appeal Ref: APP/R3650/D/20/3261918

2 Ridgeway Cottages, Clark Hill, Farnham

- 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 Andrew Clark against the decision of Waverley Borough Council.
 - The application Ref WA/2020/0767, dated 4 May 2020, was refused by notice dated 6 August 2020.
 - The development proposed is "Rear ground & first floor extension. Partial demolition of existing".
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Decision

1. The appeal is allowed and planning permission is granted for "proposed rear ground & first floor extension and partial demolition of existing" at 2 Ridgeway Cottages, Clarks Hill, Farnham in accordance with the terms of the application, Ref WA/2020/0767, dated 4 May 2020, 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: 764-1, Revision B dated Sept 2019, and 764-2 dated May 2018.
 - 3) The extension hereby permitted shall not be occupied until the window at first floor level has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of No.1 Ridgeway Cottages, with particular regard to outlook and light.

Reasons

3. The appeal site is a mid-terrace cottage with an existing single storey rear extension. It is proposed to replace the existing rear projection with a two-storey rear extension. The ground-floor level element of the proposal would be larger than the exiting rear extension with a projecting roof lantern. The first-floor level element would be much smaller, projecting the minimal depth

necessary to accommodate a new staircase, with an off-set pitched roof and rear facing gable.

4. An existing outbuilding at No.1 Ridgeway Cottages abuts the shared boundary, beyond which are north and east facing ground floor windows and outside space serving that dwelling. The rear gardens are enclosed by tall planting and although the appeal site benefits from a large open garden to the north-east, the private outside space serving No.1 is smaller and restricted by the surrounding planting and existing built form of the terrace. The outlook of residents at No.1 is therefore restricted to some extent at present, placing greater value on that which they currently enjoy.
5. On account of its low-level and positioning away from the shared boundary, behind No.1's outbuilding, changes to the current arrangement at ground floor level would be barely noticeable from No.1 except in oblique views from upper floor windows. Views of the first-floor level element of the proposal would be available from the outside space serving No.1, but due to the minimal depth of this part of the extension and its distance from the shared boundary, it would not restrict outlook from that property in any way.
6. The orientation of the appeal site is such that the proposed extension would be positioned directly north of No.1. I have seen various diagrams presented by the appellant and residents of No.1 referring to solar projections, but none of these have been corroborated as being completed with a reliable degree of accuracy, although I note the appellant has gone to great lengths to present their case in detail with reference to the BRE guidance¹. The Council have not presented any evidence to support their claim that the proposal would result in an unacceptable loss of light. Based on the information before me, the positioning and size of the proposed extension would ensure that any loss of light experienced by residents of No.1 would be negligible, even in the enclosed environment those residents currently experience. The proposal would not therefore result in an unacceptable loss of light to the occupiers of No.1.
7. For the above reasons, the appeal scheme would not result in a harmful effect on the living conditions of the occupiers of No.1 Ridgeway Cottages. The proposed development would thus accord with Policy TD1 of the Council's Local Plan Part 1 (2018) and Policies D1 and D4 of the Council's Local Plan (2002). These Policies require, amongst other things, new development to be of high quality and inclusive design which does not harm the amenities of occupiers of neighbouring properties, which accord with the Framework².

Other Matters

8. Neighbours have referred to the proposed metal finish of the ground-floor extension roof and the effect it would have on noise experienced within their property. The Council has not raised any objection in this regard and I do not consider the use of such material for this purpose would be likely to give rise to any noise concerns, even during wet weather.

Conditions

9. A condition requiring the commencement of development within the relevant timeframe is necessary, as is a condition confirming the approved plans to

¹ Site Layout Planning for Daylight and Sunlight: A guide to good practice, Building Research Establishment (2011)

² National Planning Policy Framework (2019)

avoid any ambiguity. The approved plans are annotated to confirm the use of matching facing materials and a flat standing seam metal roof. Taking into account the existing dwelling and the surrounding area, I feel these materials would be acceptable. There is therefore no need for a separate condition relating to facing materials.

10. The Council have suggested a condition restricting the glazing and degree of opening for the first-floor level rear facing window to prevent any 'intervisibility'. This window would be located above the staircase landing, but would be sufficiently close to the neighbouring property 'Old Tiles' to the east to allow a view out that could impinge on neighbour privacy, not knowing the finished internal floor level. I have therefore amended the Council's suggested condition to ensure compliance with the relevant tests set out in the Framework, and to prevent any unacceptable levels of overlooking from that window. It would be sufficient to deal with this matter prior to the occupation of the extension.

Conclusion

11. For the reasons given I conclude that the appeal should succeed, subject to the conditions set out above.

L Douglas

INSPECTOR