

Appeal Decision

Site Visit made on 18 October 2021 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/A3655/D/21/3276819

4 Royal Oak Road, Woking, GU21 7PJ

- 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 Alan Hines against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0272, dated 5 March 2021, was refused by notice dated 29 April 2021.
 - The development proposed is erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at 4 Royal Oak Road, Woking, GU21 7PJ in accordance with the terms of the application, Ref PLAN/2021/0272, dated 5 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans: Drawing no. BET/01 (MAR 2021), Drawing no. BET/02 (MARCH 2021), Drawing no. BET/03 (MAR 2021), Drawing no. BET/04 (MAR 2021) and Site Location Plan (scale 1:1250).
 - 4) Development shall not commence until surface water drainage works have been carried out in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Although the Council requested that I view the appeal proposal from No. 6 Royal Oak Road, access was not possible at the time of my site visit. However, I am satisfied that I saw everything necessary to enable me to assess and make a recommendation on the appeal.

4. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. Whilst I have had regard to the revised Framework as a material consideration, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I have therefore not sought further submissions on the revised Framework, and I am satisfied that no party would be disadvantaged as a result.

Main Issue

5. The main issue is the effect of the proposed development on the living conditions of the occupiers of No.6 Royal Oak Road with regard to outlook.

Reasons for the Recommendation

6. The appeal property is a detached two storey dwelling which has undergone previous extensions, including a single storey rear extension. The neighbouring property, No.6 Royal Oak Road (No.6), is located to the north east. Both properties have relatively large back gardens.
7. Whilst the proposed extension would add approximately 3 metres to the existing rear extension at the appeal property, resulting in a large addition to the original building, it has been designed with a 1.5 metre inset from the common boundary with No.6 which is demarcated by a 1.8 metre high fence and a hedge in No.6's garden. The gap would provide space between the extension and the garden of No.6 and the stepped layout of the extension would help to break up the side wall.
8. Taking into account the height and position of the existing fence, the limited projection of the extension's side wall above that and its flat roofed form, the proposed extension would not appear unduly overbearing or oppressive when viewed from No 6's rear habitable room windows and garden and an adequate outlook would be maintained. I therefore conclude that it would not cause material harm to the living conditions of the occupiers of No 6.
9. For the reasons outlined above, the proposed development would accord with Policy CS21 of the Woking Core Strategy (October 2012) which seeks, amongst other things, to ensure developments achieve a satisfactory relationship to adjoining properties avoiding significant harmful overbearing effects due to bulk or proximity. It would also accord with the Outlook, Amenity, Privacy & Daylight Supplementary Planning Document (SPD) (July 2018) which seeks to protect neighbouring properties from overbearing impacts of development. The proposed development accords with the Woking Design SPD (February 2015) which advises that development should not compromise neighbour amenity. The provisions of the Framework to secure a high standard of amenity for existing users would also be met.

Conditions

10. I have considered the conditions suggested by the Council. Where necessary, and in the interests of clarity and precision, I have slightly altered the conditions to better reflect the advice in the Framework and the Planning Practice Guidance.

11. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have included a condition requiring the external materials to match the existing building to protect the character and appearance of the appeal property. A condition is necessary requiring the approval of a surface water drainage scheme to protect against flood risk. The appeal proposal is described as a single storey extension which would be to the rear of and physically connected to the main house. In addition, the existing side doorway would be blocked up. In these circumstances, a condition requiring that the extension is used only as ancillary accommodation to the residential use of the main dwelling as suggested by the Council is not necessary to make the development acceptable in planning terms. Planning permission would be required for the occupation of the accommodation as a separate dwelling unit.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Sarah Housden

INSPECTOR