



Appeal Decision

Site visit made on 9 December 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2021

Appeal Ref: APP/D3640/D/21/3280293

20 Ravenstone Road, Camberley, GU15 1SN

- 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 B Funnell against the decision of Surrey Heath Borough Council.
 - The application Ref 21/0314/FFU dated 15 March 2021, was refused by notice dated 15 June 2021.
 - The development proposed is erection of first floor side and single storey rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of first floor side and single storey rear extensions at 20 Ravenstone Road, Camberley, GU15 1SN in accordance with the terms of the application ref: 21/0314/FFU, dated 15 March 2021, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: proposed plans 20/21/093/2 Rev B and 20/21/093/1 Rev A (location plan and site plan).
 - 3) Unless otherwise agreed in writing the Local Planning Authority the materials used for the external surfaces of the development hereby permitted shall match those of the existing building as stated in the application form;
 - 4) No construction works shall take place other than between 08:00 to 18:00 (Monday to Friday) and 09:00 – 13:00 (Saturday). No works shall take place on a Sunday or Bank Holiday;
 - 5) The development shall be carried out strictly in accordance with the recommendations made in the AIA prepared by SMW (Tree) Consultancy Ltd dated 19th April 2021 with particular regard to use of hand tools within the RPAs, tree protection measures and supervision visits.

Main Issues

2. The main issues are the impact of the proposal upon:
 - i) the character, appearance and quality of the area; and
 - ii) amenity trees to the rear of the appeal site.

Reasons

3. There are two elements to this appeal proposal as confirmed by the development description above. The first refusal reason is clear in its reference to the first floor side extension only whereas the second refusal reason is specific to the single storey rear extension.

Character, Appearance and Quality of the area

4. At the time of my site visit I found that the dwellings on Ravenstone Road are groups of dwellings which shared similar architectural features. The four properties within which the appeal side stands (no.'s 16 – 22 inclusive) share the same features and are uniform in appearance, design and spacing. The appeal site and no. 18 are set back slightly within the overall building line.
5. I do not find an issue with the architectural design of the proposal specifically in relation to its impact upon the character of the host dwelling itself. The Council acknowledge that the first floor side extension would be stepped back from the front elevation and would be lower in height with matching materials. It would be read as a subservient addition to the host dwelling. The refusal reason is specific with regard to closing a gap to the side boundary and its subsequent impact upon the character and quality of the area.
6. The set back of the appeal site itself, within the streetscene, combined with the first floor extension starting approximately half way down the side elevation set back from the front elevation would, I find, mean that views of the first floor side extension would not realistically be possible in oblique views within the wider streetscene. The views of the proposal would therefore be limited to when immediately outside/in front of the appeal site in Ravenstone Road.
7. I note that no other properties in the design group within which this appeal site stands have been extended at first floor height. They do, as a result of this, remain uniform in character and this results in backdrop views towards the rear landscapes of trees. Despite this I find that views through the side gaps are realistically limited to the trees themselves which limits the spacious and open character compared to if, for example, there were open views beyond the site.
8. When discussing space between buildings it is noted that the West Urban Area Character and Supplementary Planning Document 2012 (SPD1) notes, as contribution to character, that most properties have side gardens and these provide gaps in urban form which are important parts of the streetscene. This is not the case for the appeal proposal which seeks to extend over an existing garage and not into a side garden. The gaps are noted to allow views through to the large trees in rear gardens but their prominence and dominance would be retained within the streetscene which I find is the main part of the setting of the appeal site and the row within which it stands.
9. The proposal would be set in by a 1m from the shared boundary albeit I acknowledge there would be some minor overhang of the roof. There would still be a view through the site albeit more limited. The trees are prominent within the streetscene due to their combined size and spacing and do not I find that a subservient first floor side extension would result in a loss of gap between the properties which would ultimately result in a reduction in their visual prominence which would warrant refusal. The proposal would be consistent with the aims and objectives of Guiding Principle P01 in SPD1.

10. Whilst each case must be considered on its own merits, I note the appellant's inclusion of examples of similar extensions and alterations to properties within the vicinity. Most notably, I find, the example at 28 Ravenstone Road¹ shows a similar set of potential issues with regard to uniformity and a tree lined backdrop. Despite this I find that this first floor side extension in particular is an example of such proposals, for a first floor side extension, being successfully accommodated by the host dwelling whilst respecting the streetscene.
11. Overall I do not find that the height and width of the proposal would unacceptably close the gap to the side boundary of the appeal site nor that it would result in visually cramped and discordant development. The proposal would be consistent with Core Strategy and Development Management Policies 2011 – 2028 (2012) (CS) Policy DM9 which seeks to respect and enhance local character with regard to scale, massing bulk and density. The proposal would be consistent with Residential Design Guide Supplementary Planning Document (SPD) principle 10.3 which seeks to prevent erosion of the streetscene and local area.
12. SPD1 Guiding Principle P02 states that development which results in loss of gaps between buildings and the creation of a terracing effect will be strongly resisted. A reference to strongly resisted I find to demonstrate that the application of this guidance should be accompanied by an assessment as to actual impact. The proposal would not result in a terracing effect and whilst it would bring development into the existing first floor gap it would not result in a total loss of the gap and it would not result in impact sufficient to warrant refusal for the reasons I have already outlined.

Trees

13. The second refusal reason is limited to the single storey rear extension. The trees to the rear of the appeal site on Wellingtonia Avenue are both substantial and notable, as a row, when approaching from Ravenstone Road. The trees in question (T1 and T2) are covered by a Tree Preservation Order (TPO 26/28 and TPO 31/68). The appellant has submitted an Arboricultural Impact Assessment (AIA) with the original application which has been provided to cover the requirements of BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The Council contend that the default position of BS5837:2012 is that new structures should be outside of the Root Protection Area (RPA) or provide overriding justification. On this occasion I find the Council has provided limited evidence to support the claims made as to actual impact with heavy reliance placed realistically solely upon the fact that the development would be within the RPA. It should be kept in mind that BS5837:2012 is, ultimately, guidance. It falls to consider actual impact of the proposal against the objectives of that guidance.
14. The single storey rear extension is one which I find to be modest within the proposal extending to a depth in the region of 1.9m albeit I acknowledge the fact that the foundations may extend beyond the flank wall. At the time of my site visit I found that the footprint of the proposed extension is mainly already covered by an existing slabbed patio area. In addition I noted other built form, in neighbouring gardens, that appears to encroach further into the RPA of the row of trees than the appeal proposal before me. Indeed, the submitted AIA

¹ This example, stated to be granted in August 2015 would have assessed against the same Core Strategy policies and SPD1 albeit it is noted to have pre-dated the Residential Design Guide 2017.

also notes a neighbouring extension as having extended into 1.3% of the RPA already and there are no apparent impacts to the trees in question as a result of this.

15. The AIA demonstrates that the possible impact towards T1 would be a 0.5% intrusion into its RPA as a result of the single storey rear extension. T2 would experience intrusion of 0.2%. I find that the AIA has fully assessed the potential impact upon future health and viability of the trees and does not identify impacts to the trees in question as a result of the proposal. The AIA concludes that the combination of an extremely low percentage of foundation intrusion to both tree RPAs, and the fact that their rooting area has no restrictions (in that they have open growing area on all other sides), means the proposal would not warrant specialist foundations. I have no evidence before me to conclude differently. The AIA also outlines measures which can be put in place, during construction, including excavation, tree protection measures and supervision which I find could appropriately be secured by condition to ensure the trees are appropriately protected as a result of the development.
16. The proposal would, as outlined above, encroach into the RPAs of T1 and T2 but this would be a negligible intrusion. Based on the evidence before me I am satisfied that the modest single storey rear extension could be carried out without harmful impact upon the trees in question and that there would be no loss of soft ground which would result in long-term detrimental impact upon the health of the trees. This evidence, I find, would provide overriding justification for encroachment into the RPA. This would be consistent with the objectives of the Heatherside Character Area to the rear of the appeal site, as noted by the Council, in terms of the requirement to protect existing mature trees.
17. I note a third party statement that the RPA has been incorrectly plotted within the AIA. The AIA has been prepared by someone with sufficient experience and qualification and, notwithstanding this, the Council's Tree Officer has not raised concern with the placement of trees within this report. Based on this, and my site visit, I have no evidence before me to conclude differently and have sufficient information before me within this appeal.
18. The proposal would be consistent with CS Policy DM9 which requires development to protect trees and other vegetation worthy of retention and paragraph 131 of the National Planning Policy Framework 2021 which requires that existing trees are retained wherever possible.

Other Matters

19. I note the objections and comments from third parties in relation to this proposal. Matters relating to access to clean gutters, subsidence/cracks for neighbours, property values, party wall issues or loss of private views are not material planning considerations and are therefore outside the scope of this appeal. Comment has been made regarding Certificate B; however, the proposal is contained within the red line boundary and the appellant has confirmed that this is within their ownership in Certificate A as confirmed by the Council. The proposal has been found, by the Council, not to negatively impact upon neighbouring amenity (such as overlooking or loss of privacy) and I have no evidence before me to conclude differently. Fear of a precedent is not a reason for refusal. Each case must be considered on its own merits.

20. Comments relating to increased parking are noted, however, the proposal would comply with current parking guidance and there are no highways and/or parking reasons for refusal before me. I note that concerns have been raised regarding additional noise associated with the proposal but the construction period for a small development would likely be limited and, as such, it would not warrant a refusal of this application. A time condition regarding construction works can be applied to any consent granted in order to protect the amenities of neighbouring residents to ensure this during the construction phase. I have outlined matters relating to appearance, design, spacing and trees within this decision letter already.

Conditions

21. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition regarding materials is required to ensure a satisfactory finish and maintain the quality of the proposal for the lifetime of the development. A condition controlling the timings of construction works is required to protect the amenity of neighbouring residents during the construction phase. A condition requiring compliance with the recommendations outlined in the AIA are required to ensure the trees adjacent to the appeal site are appropriately protected.

Conclusion

22. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to the conditions.

Eleni Randle

INSPECTOR