



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: 15 December 2021

Appeal Ref: APP/A3655/D/21/3280659

15 Hermitage Woods Crescent, St Johns, Woking GU21 8UE

- 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 Kirk against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0668 dated 13 June 2021, was refused by notice dated 9 August 2021.
 - The development proposed is first floor side extension above existing garage and ground floor rooms to create an additional bedroom and en-suite.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension above existing garage and ground floor rooms to create an additional bedroom and en-suite at 15 Hermitage Woods Crescent, St Johns, Woking GU21 8UE in accordance with the terms of the application ref: PLAN/2021/0668, dated 13 June 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: 15HWC-06 Rev A, 15HWC-07 Rev A, 15HWC-08 Rev A, unreferenced Location Plan (produced on 5th June 2021) and 15HWC-03 Rev A.
 - 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;

Main Issues

2. The main issues are the impact of the proposal upon i) the character and appearance of the area and ii) the residential amenity of No. 17 Hermitage Woods Crescent (no. 17) with regard to overbearingness.

Reasons

Character and Appearance

3. The appeal site is a two storey semi-detached house in a residential area where the properties within the area are of a similar design and character. The proposal seeks to construct a first floor side extension over the existing garage which would be set back from the front and rear elevations with the roof height being lower than the host dwelling. In terms of the host dwelling itself the proposal would present as a subservient addition.

4. The first refusal reason is, therefore, based solely upon visual separation between the appeal site and no. 17 due to the fact the proposal seeks to extend to within 0.5m of the boundary with the neighbouring dwelling at no. 17. There is notable space between the built form of no. 17 and the appeal site boundary and the proposal would not give the impression of a terraced row. I find that the proposed street scene (drawing no: 15HWC-03 Rev A) demonstrates clearly that the extension, even to within 0.5m of the boundary site boundary, would maintain visual separation between the properties (of around 4.2m) and would not result in a terracing effect. I do not find the proposal would present as cramped within the street scene and appropriate spacing would be maintained.
5. The Supplementary Planning Document Woking Design (2015) (SPD) document is noted; however, it is ultimately guidance. It falls to consider the proposal against the objectives of that guidance. I acknowledge that the SPD advises a minimum of one metre gap should be retained between all two storey extensions and a side boundary. Despite this the reasoning for this advice is, ultimately, to avoid little or no space between adjoining dwellings and avoid a terracing effect. For the reasons outline above – I find the proposal maintains space between the dwellings in question and is therefore consistent with the objectives of the guidance within the SPD.
6. The proposal would be consistent with Woking Core Strategy 2012 (CS) Policy CS21 which requires development to respect and make a positive contribution to the street scene and character of the area in which they are situated.

Neighbouring Amenity

7. The proposal would not extend beyond the rear of no. 17 and has been found by the Council to be acceptable with regard to overlooking, sunlight and daylight for the occupiers of no. 17. The refusal reason does, however, reference overbearing impact. The Council have provided limited reasoning to support their statement that the proposal would appear unacceptably overbearing. I note there is a slight change in land level due to the overall gentle slope of Hermitage Woods Crescent but, in the absence of specific site level information, I find that this was a limited difference from visual inspection. The short length of the extension combined with the separation between no. 17 and the proposal as outlined above I find would not result in unacceptable overbearing impact for the occupiers of no. 17.
8. The proposal would be consistent with CS Policy CS21 which seeks to avoid significant harmful impact in terms of overbearing effect due to bulk and proximity and the SPD which seeks to ensure the location of the extension should not result in adverse overbearing impact on adjacent dwellings. Given the urban setting and spacing from no. 17 itself I find that the proposal is consistent with the overarching objectives of the Outlook, Amenity, Privacy and Daylight Supplementary Planning Document 2008. This guidance essentially links outlook and overbearing impact considering impact on a dwellings immediate setting. I find that sufficient spacing is maintained between the buildings to maintain amenity.

Conditions

9. 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.

Conclusion

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

Eleni Randle

INSPECTOR