



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: 30TH December 2021

Appeal Ref: APP/A3655/D/21/3280771

13B Princess Road, Woking, Surrey

- 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 Ifran Khan against the decision of Woking Borough Council.
 - The application Ref PLAN/2021/0309 dated 16 March 2021, was refused by notice dated 14 July 2021.
 - The development proposed is double storey side and rear extensions.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Shortly after the refusal of this application the revised National Planning Policy Framework (the Framework) was published on 20th July 2021. The Framework does not, of course, change the starting point for determination as being the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004. Given the main issues to be considered within this appeal I do not find that this revision to the Framework impacts upon the basis of determination for this appeal.

Main Issues

3. The main issues are the impact of the proposal upon i) the character of the dwelling and the street scene and ii) the residential amenity of the occupiers of no. 13A and no. 15 Princess Road (no. 13A and no. 15) with regard to daylight, overlooking and overbearingness.

Reasons

Character of the dwelling and the street scene

4. The appeal site is one of a pair of uniform semi-detached dwellings with a pitched roof. The appeal site is a long plot but one which is irregular in shape. It should be noted that character and appearance are two separate matters. Appearance is the outward, visible qualities whereas character is the sum of all the qualities which distinguish an area.
5. At the time of my site visit I noted that the character of the area comprises a mix of property types and that a number of these have been extended, as noted by the Council, but I did not see any extensions or alterations of a scale comparable to the appeal proposal which could be said to be part of the character of the area. The proposal would be around a metre from the shared boundaries with no. 13A and no. 15 respectively at its closest points. The side

extension is noted not to run parallel to the boundary due to the orientation of the property within the irregular plot shape.

6. Regardless of whether the proposal complies with guidance requiring a minimum of one metre from a side boundary I find that the overall depth of the two-storey side extension (which would notably exceed the depth of the host dwelling) combined with the proposed width would create a significant addition which would essentially double the size of the host dwelling. The bulk, scale and massing I find would not combine or relate well with the plot angle and site boundaries which would lead it to present as a cramped form of over development for the plot.
7. I do not find the scale of the proposal respects the character of the host dwelling as a result of it not being in keeping with the existing buildings proportion. The dominant additions would look out of character as a result of their prominence from within the street scene, particularly in oblique angles from outside no. 15 and in views from the South East in Princess Road itself. Much of the two storey side elevation would be visible from Princess Road as a result of its domination of the host dwelling.
8. I note the appellant's comments regarding roof design and materials; however, these points do not change the issues I have found with regard to the proposed scale being overly dominant for the host dwelling as outlined. The appellant states that there are other developments on the estate which are of similar design and size but has provided no further evidence within this appeal as to these sites. I can therefore attribute little weight to such a statement. Notwithstanding this it falls to consider each case on its own merits.
9. The proposal would be contrary to Woking Core Strategy 2012 (CS) Policy CS21 which requires new development to respect and make a positive contribution to the street scene and character of the area in which they are situated paying due regard to the scale, height and proportions of adjoining buildings and land. The proposal would also be contrary to the Woking Design Supplementary Planning Document 2015 (SPD) which advises that the additional mass should respect the existing building proportion.

Residential amenity of the occupiers of no. 15 and no. 13A Princess Road

10. The two-storey side extension element of the proposal would be around a metre from the site boundary at its closest point only. It would not run parallel to the site boundary and would instead be progressively angled away as can be seen from the submitted block plan. Despite this I noted at the time of my site visit that no. 15 stands at a lower site level than the appeal site and I could see, from the road, the top of the single storey rear extension which is noted to have three openings on the elevation facing the appeal proposal. The proposal is stated to comply with the 45-degree lines but would fail the 25-degree lines, the latter being the test to establish the effect of a proposal with regards to obstructing daylight to existing rooms and windows.
11. Taking into account the bulk, scale and massing of the proposal, its proximity to no. 15 and the site levels I find the proposal would have an unacceptable impact upon the occupiers of no. 15 with regard to daylight. The appellant states that plans were submitted which demonstrate the proposal does not conflict with the 25-degree line, however, I have no copies of such plans or

correspondence before me within this appeal to be able to take into account as evidence to the contrary.

12. The two storey rear extension would be very close to the boundary with no. 13A due to the fact the neighbouring garden is at an angle and effectively passes across the rear of the host dwelling which is the subject of this appeal. The proposal would bring two storey built form much closer which I find would have an overbearing and oppressive impact upon the occupiers of no. 13A due to the bulk, scale and massing of the proposal. The minimal distance between the appeal proposal and the site boundary would also allow unacceptable levels of overlooking into the rear garden of no. 13A as a result of windows, at first floor level, being brought much closer to the site boundary than is currently the case for the existing dwellings.
13. I note the appellant states the proposal would give no more of an oppressive feel than the existing situation, however, for the reasons outlined above I find the proposal would have an unacceptable impact on the occupiers of both neighbouring properties.
14. The proposal would be contrary to CS Policy CS21 which requires a satisfactory relationship with adjoining properties avoiding significant harmful impact in terms of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. The proposal would also be contrary to the Outlook, Amenity, Privacy and Daylight Supplementary Planning Document 2008 which requires development to be designed to respect the privacy of existing dwellings and demonstrate how daylight of existing dwellings is safeguarded and the SPD requirement not to compromise the private amenity of any neighbours.

Other Matters

15. I note the appellant's comments that they are unhappy as to how the application was handled. Despite this the handling of the original application is not something which falls to be considered within this appeal and I have considered the proposal upon its own merits, against the relevant Local Plan policies, based upon the evidence before me.
16. I note third party comments made. I have dealt with matters relating to amenity and character earlier within this decision letter. Property values are not a material planning consideration and matters such as Party Walls are civil matters which would also fall outside the scope of this appeal. Future plans for the appeal site are not matters which can be taken into account, I must consider the proposals before me. I have no evidence as to a water main below the appeal site. The Council raise no refusal reason based upon parking or highways matters and I have no reason to conclude differently.

Conclusion

17. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR