
Appeal Decision

Site visit made on 15 February 2022

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2022

Appeal Ref: APP/D3640/D/21/3289622

16 Gardenia Drive, West End, Woking GU24 9XG

- 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 Jonathan Gubbins against the decision of Surrey Heath Borough Council.
 - The application Ref 21/0445/FFU, dated 19 April 2021, was refused by notice dated 8 October 2021.
 - The development proposed is a two storey front and side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant submitted new evidence with the appeal relating to amendments. Guidance¹ is clear that if an applicant thinks that amending their application proposals will overcome the Council's reasons for refusal they should normally make a fresh planning application. The Council should be open to discussions on whether it is likely to view an amended scheme favourably. Altogether, I have determined the appeal based on the proposal that was put before the Council.

Main Issues

3. The main issues are the effect of the proposal on the:
 - (a) character and appearance of the area; and
 - (b) living conditions of neighbouring occupiers in relation to privacy.

Reasons

Character and Appearance

4. The site is located at 16 Gardenia Drive which is a detached two storey dwelling at the end of a small cul-de-sac. The site, cul-de-sac and surrounding development appear similar in age, constructed as a cohesive residential estate². There is varied use of dwelling types and styles throughout the estate, such as detached and semi-detached dwellings, and small terraces. Furthermore, there is varied use of external materials, such as brick and render. Altogether, this makes for interesting and engaging street scenes.

¹ Procedural Guide: Planning Appeals – England, Annex M.

² Village Design Statement West End GU24 2016

5. Whilst variation exists, there are clearly identified character areas with features of importance. Gardenia Drive is identified as being within an area of small houses, where open-plan gardens are noted as minimising the effect of higher densities, whilst the roof types are of gable design³.
6. The proposal would introduce a two storey extension at the side and front elevations of the dwelling. Whilst the extension may be limited in depth, its height and extent across two elevations would have a material effect on the dwelling's scale relative to the plot size.
7. Consequently, the proposal would visually enlarge the dwelling and encroach the openness of the plot. It would also introduce an incongruous, hipped roof design where gables are prominent. Altogether, it would erode the character and appearance of the dwelling and contribution it makes to Gardenia Drive.
8. Whilst the site is located within a small cul-de-sac, views are still available from the roundabout at Kerria Way and the entrance to the cul-de-sac. Consequently, the siting of the proposal provides little mitigation.
9. Overall, the proposal would harm the character and appearance of the area and conflict with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 10.1 and 10.2 of the Residential Design Guide SPD 2017, and Guidelines 1, 2 and 5 of the West End Village Design Statement 2016.

Living Conditions

10. The appellant concedes that the window placement could affect the privacy of neighbouring occupiers and that they would be willing to change the window placement in an effort to mitigate harmful effects. Consequently, it is no longer a matter in dispute between the parties.
11. In this context, the proposal would harm the living conditions of neighbouring occupiers in relation to privacy by reason of overlooking from the window placement in the side elevation, which sits at first floor level and in close proximity to the neighbouring dwelling.
12. Overall, the proposal would conflict with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, and Principle 10.1 of the Residential Design Guide SPD 2017.

Other Matters

13. Whilst I note the appellant's statements about the Council's administration of the application, it is not a matter for me to deal with under the appeal. Furthermore, whilst I also note the appellant's statements about parking, this matter has not been determinative under the main issues.

Conclusion

14. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR

³ Village Design Statement West End GU24 2016