



Appeal Decision

Site visit made on 22 March 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2022

Appeal Ref: APP/D3640/D/21/3283787

72 Middle Gordon Road, Camberley, GU15 2HT

- 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 Daniel Evans against the decision of Surrey Heath Borough Council.
 - The application Ref 21/0568/FFU, dated 18 May 2021, was refused by notice dated 7 September 2021.
 - The development proposed is erection of a first floor side extension over existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - the living conditions of the occupants of 70 Middle Gordon Road, with particular regard to daylight and outlook; and
 - the character and appearance of the area.

Reasons

Living Conditions

3. The proposed development would extend the first floor of the property over the existing single-storey garage extension, towards the side boundary with No 70.
4. Several side facing windows exist at No 70. However, all but one of these are fitted with obscured glazing and serve secondary or ancillary areas of the house. However, the clear glazed window serves a kitchen and I am conscious that the Council's Residential Design Guide: Supplementary Planning Document (2017) (SPD) classifies this as being a habitable room.
5. In respect of the effect on daylight in the kitchen, the appellant has included a 45-degree study, which suggests that the proposal would not have a significant adverse effect on daylight to this room. However, as set out in the SPD, a 45-degree study is not the appropriate assessment for windows facing onto a proposal. In such circumstances, a 25-degree assessment should be applied.
6. From looking at the submitted plans, it is clear that the extension would breach such a 25-degree line by a significant margin. In the absence of a detailed daylight assessment to the contrary, it is my view that the proposal would be

very likely to have an unacceptable impact on the availability of daylight to the kitchen.

7. In coming to that view, I acknowledge that the current appeal proposal is an improvement on that considered in the previous appeal decision¹. However, despite this improvement, this does not justify granting permission for an otherwise unacceptable development.
8. Turning to the effect of the proposal on outlook, I am conscious that the kitchen faces directly towards the single-storey side elevation of the appeal property with the two-storey flank elevation of the main house beyond. Given the proximity of these buildings, and intervening boundary treatments, the outlook from the side facing window of No 70 is already restricted. Taking this into account, together with the hipped roof arrangement of the proposed extension, in my view, there would not be an unacceptable loss of outlook as a result of the development.
9. For the above reasons, the proposed development would be harmful to the living conditions of the occupiers of 70 Middle Gordon Road, contrary to the relevant provisions of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (2012) (CS) and Principles 8.3 and 10.3 of the SPD, which in summary seek to respect the amenities of occupiers of neighbouring properties. The proposal would also be at odds with the overarching design objectives of the National Planning Policy Framework (the Framework).

Character and appearance

10. The appeal site comprises a semi-detached property set within a large garden plot. Detached and semi-detached houses of varying styles and periods surround the site, a number of which have been extended and altered. From that perspective, the street is not one characterised by uniformity.
11. The appeal proposal would extend above the existing garage extension to provide an additional storey and would have a hipped roof. In terms of scale, the extension would be similar to the existing extension at the adjoining property, 74 Middle Gordon Road. A proposed canopy over the garage entrance would provide a sense of consistency with this neighbouring extension.
12. I acknowledge the Council's concern that the proposed development, due to its hipped roof arrangement, would unbalance the pair of semi-detached properties and upset their symmetry. However, this pair of properties is already unbalanced in so far as a two-storey extension already exists at No 74 and not at the appeal site. In that sense, the addition of a first-floor extension would assist in re-balancing the pair of semi-detached properties.
13. In coming to that view, I acknowledge that the roof design of the extension would be of a different form to the main roof of the host dwelling. Whilst the appeal property features a gable-ended roof, a hipped roof is already in existence to the rear of the property, visible from the street. Moreover, neighbouring properties, including No 70, feature hipped roofs which are prominent in the streetscene. The hipped roof of the proposed extension would be read in the context of these varied roofslopes and would not appear incongruous here.

¹ Appeal reference APP/D3640/D/15/3132319

14. Taking all of that into account, I consider that the symmetry of the pair of properties is not key to the character and appearance of the street as this can only be appreciated if standing directly opposite the properties themselves. This is particularly the case as the symmetry is not readily apparent as you move along Middle Gordon Road towards the site in either direction. Furthermore, the neighbouring pair of semi-detached properties (76 and 78 Middle Gordon Road) both have two-storey extensions which, despite their similar roofslopes, vary in detailed design. This further emphasises the acceptability of differing designs to property extensions.
15. Taking the above into account, I conclude that the development would not harm the character and appearance of the host property or the surrounding area, and would be in accordance with the policy DM9 of the CS, Guiding Principles Principle VS1 (a), (b), (d) and (g) of the Surrey Heath Western Urban Area Character SPD (2012) and Principles 7.4, 7.8, 10.1 and 10.3 of the SPD which, amongst other matters, seek high quality design in development that respects and enhances the local character of the surrounding area. It would also be consistent with the overarching aims of the Framework in this respect.

Conclusion

16. For the reasons given above, having taken account of the development plan as a whole, the approach in the National Planning Policy Framework, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR