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# Appeal Decision

Site visit made on 19 December 2022

**by Mr C J Tivey BSc (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23rd January 2023**

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**Appeal Ref: APP/Y3615/D/22/3307757**

**273 Vale Road, Ash Vale GU12 5LA**

- 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 Chandler Cranfield against the decision of Guildford Borough Council.
  - The application Ref 22/P/00235, dated 8 February 2022, was refused by notice dated 5 August 2022.
  - The development proposed is for a single storey side extension and enlargement for first floor side dormer following demolition of garage and carport.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The description of proposed works as set out within the planning application form is very detailed. I consider that the first floor element consists of an extension to the existing dormer, and being a more succinct description of what the appellant seeks planning permission for I have determined the appeal on the basis of the Council's version.

## Main Issues

3. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the occupants of 275 Vale Road, with specific reference to outlook.

## Reasons

### *Character and Appearance*

4. The appeal site comprises a link-detached, gable fronted chalet bungalow with a single flat roof dormer to either side. 275 Vale Road next door is of a similar design, albeit handed, beyond which is a pair of detached hipped roof bungalows. A large pair of semi-detached two and a half storey houses are situated to the south of the appeal site.
5. The proposal would give rise to the demolition of the existing garage and carport belonging to no 273, leaving those serving the neighbouring dwelling in situ. A 0.65m gap would be provided between the appeal dwelling as proposed to be extended and the boundary shared with no 275. In itself the three

dimensional visualisations demonstrate that the appeal property could be extended in a manner that the proposal would appear subordinate in form to the host dwelling and consequently would not give rise to material harm to the character and appearance of the street scene. In this respect I find no conflict between the proposal and Policy D1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (LPSS) or Policy G5 of the Guildford Borough Local Plan 2003 (LP) which together require all new developments to achieve high quality design that responds to distinctive local character whilst having regard to a number of design requirements, including the context of design, scale, proportion and form as well as the space around buildings.

### *Living Conditions*

6. Both nos 273 and 275 currently have first floor dormer windows serving habitable rooms facing each other and therefore there is already a degree of mutual overlooking and restricted outlook. The proposal would improve the former situation as an obscured window is proposed on the appeal dwelling, however I note from the plans that the first floor element of the proposal, would bring built form 1.4m closer to no275 and its respective window accordingly.
7. No assessment has been provided upon the reduction of outlook from said window and whilst I note that the proposal has been designed so that the roof line is below that of the existing structure; and with the front set back from the existing, the remaining space between the two properties would be further eroded. Therefore I cannot agree that there would be no greater impact than the existing situation and I consider 3.6m between the proposed first floor extension and the dormer it would face to be inadequate, particularly bearing in mind the increase in width proposed over and above the existing situation.
8. I sympathise with the appellant's frustration at the level of service that they have received from the Council although ultimately that does not affect the substance of my assessment of the appeal. It may well be that drawings were misinterpreted, however it has fallen upon me to view them afresh, having regard to the two main issues as highlighted within the decision notice. I have found in favour of the appellants in respect of the impact of the proposal upon the character and appearance of the area; however this does not outweigh the harm that would result upon the material erosion of outlook from no275. I therefore find that the proposal conflicts with LP Policies G1 (3) and H8 which together require the amenities enjoyed by occupants of buildings are protected from un-neighbourly development as well, as the National Planning Policy Framework which requires developments to create a high standard of amenity for existing and future users (paragraph 130.f).

### **Conclusion**

9. Having to the above and all other matters raised by the appellant, I conclude that the appeal be dismissed.

*C J Tivey* INSPECTOR