



Appeal Decision

Site visit made on 4 January 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th January 2023

Appeal Ref: APP/Y3615/D/22/3308677

Katrine, Forest Road, East Horsley, KT24 5ER

- 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 David Moore against the decision of Guildford Borough Council.
 - The application Ref 22/P/00050, dated 13 January 2022, was refused by notice dated 19 July 2022.
 - The development proposed is two storey front and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed extensions on the character and appearance of the existing dwelling and surrounding area;
 - The effect of the proposed fence and gates on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of the occupiers of the neighbouring property, Green Trees, with particular reference to light, outlook and privacy.

Reasons

Character and appearance - extensions

3. The appeal property is a two storey detached dwelling which is located in a large plot. The surrounding area comprises mainly detached houses of individual design and appearance, most of which are spaciouly sited within well landscaped plots. The appeal property and 'Green Trees' to the north, are located centrally within their plots with large front gardens and a generous set back from Forest Road.
4. The Council's Supplementary Planning Document: Residential Extensions 2018 (SPD) whilst not statutory, provides useful guidance on the design of householder extensions. It advises that generally an extension or alteration should be subordinate to and in character with the existing dwelling and should not over-dominate or be discordant with the main property. It also advises that

the height of an extension should normally be lower than the height of the original building and set back from front elevations.

5. The proposed rear extension is of considerable size and scale. It would extend beyond the existing two storey rear wall of the dwelling by between about 4.9 and 6.8 metres and would have a width of around 6.8m. The eaves and ridge height of the extension would be the same as the existing dwelling.
6. In my view, the proposed extension would dominate the rear of the existing dwelling and would not appear subordinate to it. The proposed extension would fail to respect the original scale and mass of the dwelling due to its excessive width, depth and equivalent height. I therefore find that the proposed extension would be harmful to the character and appearance of the host dwelling and would conflict with the design guidance set out in the SPD.
7. The proposed rear extension would not be readily visible from any public vantage points although filtered views of it would be obtainable from neighbouring dwellings. An extension of the size, scale and height proposed would stand out as a dominant feature within its immediate surroundings and as such would be harmful to the character and appearance of the surrounding garden environment.
8. The proposed first floor front extension would be above an existing single storey garage. It would have a depth of about 4.63 metres and a width of just over 4 metres. Whilst the eaves height of the extension would be the same as the host dwelling, the ridge height would be lower. Whilst relatively large I am satisfied that the proposed front extension would be subordinate in appearance to the main dwelling and would not appear overly dominant. Furthermore, its design and appearance would reflect that of the existing dwelling.
9. Whilst the first floor extension would extend a considerably distance forward of the main two storey dwelling, I do not consider that it would be unduly prominent in the street scene due to the distance that the dwelling is set back from Forest Road. Overall, I find the front extension would not be harmful to the character and appearance of either the host dwelling or the surrounding area and would comply with the aims and objectives of the SPD.
10. However, notwithstanding my finding on the first floor front extension, I conclude for the reasons given above, that the proposal would have a harmful effect on the character and appearance of the existing dwelling and the surrounding area. Thus, it would be contrary to Policy G5 of the Guildford Local Plan 2003 (LP), Policy EH-H7 of the East Horsley Neighbourhood Plan 2017-2033 (NP), the SPD and paragraph 130 of the National Planning Policy Framework (2021) (the Framework) which collectively seek to deliver good design which respects its context and protects the character and appearance of the surrounding area.

Character and appearance – fence and gates

11. Fence and gates of about 1.55m in height are also proposed to the front of the site. The fence would be in a similar position to the existing picket fence however the proposed gates would be set back deeper into the site.
12. As with the existing picket fence, the proposed fence would be set back from the road frontage. A large tree to the front of the fence would be retained and would in part screen and soften the appearance of the fence which is proposed

to be of solid construction. Due to the set back of the fence and the gates, in my view the development would not be unduly prominent in the street scene and longer distance views of it would also be partly screened by vegetation to the front of the neighbouring properties which is adjacent to Forest Road.

13. Whilst I acknowledge that many of the dwelling along Forest Road have landscaped frontages, I also noted on my site visit that several dwellings along this stretch of Forest Road have well established fences of around 1.8 metres in height along their front boundaries which are more prominently located than the appeal proposal. The proposed fence and gates would have a height of 1.55 metres and would not be incongruous or out of character with other means of enclosure in the area. Furthermore, due to their siting back from the road frontage and intervening features, I am satisfied that the proposed fence and gates would not be materially harmful to the landscaped character and appearance of Forest Road. I therefore find that this aspect of the proposal would comply with Policy G5 of the LP, Policy EH-H7 of the NP and the Framework insofar as these policies seek to ensure that development integrates into the existing townscape and landscape.

Living conditions

14. The SPD also seeks to protect the privacy and amenity of neighbouring occupiers. It states that where buildings are located adjacent to one another, the Council will apply the 45 degree guide to assess the loss of light to a dwelling and to determine if an application will cause any adverse effects on the existing and on neighbouring properties.
15. According to the information before me, the proposed extensions would not appear to interfere with the 45 degree guide drawn from the centre of windows on the front and rear elevation of Green Trees and the proposal would comply with the SPD in this respect.
16. Furthermore, the amount of light received by windows on the rear elevation of Green Trees would already be affected by the high vegetation that runs along the boundary between the two properties. I am therefore not convinced that the proposed extension would significantly worsen levels of light received. Whilst I note that the closest first floor window on the front of Green Trees is recessed compared to the ground floor window, its brick surround would also have some affect on the light received by this window. Given the separation distance between the two dwellings the proposed extension would not, in my view, materially affect the amount of light received by windows on the front of Green Trees. I also acknowledge that there are ground floor windows on the flank elevation of Green Trees, however I understand that these are secondary windows and, in any event, I do not consider that they would be significantly affected by the appeal proposal.
17. Whilst the proposed extensions would extend beyond the front and rear elevation of Green Trees, there is a mature planting along the boundary between the dwellings which would help to screen and soften the visual impact of the development. The proposed extensions would also be set in from the side boundary of the site and in my view would not have an unacceptable impact on the outlook from the windows or garden of Green Trees.
18. There is a first floor bedroom window proposed on the flank elevation of the proposed rear extension. This window would allow close views into the garden

and rear conservatory of Green Trees. Although there is screening along the side boundary, this would not sufficiently prevent overlooking from the first floor window which I consider would be harmful to the living conditions of the occupiers of Green Trees.

19. I note that the appellant has stated a willingness to accept a condition requiring this window to be obscure glazed. However, I do not consider that this would be appropriate as the window serves a bedroom where obscure glazing would result in the room having no outlook and consequently a poor living environment for any future occupiers of it.
20. In conclusion on this issue, whilst I have found that the proposed extensions would not have a harmful effect on the living conditions of the occupiers of Green Trees with reference to light and outlook, the proposal would result in material harm to the privacy of the adjoining occupiers in terms of privacy. It would therefore conflict with Policy G1(3) of the LP, the SPD and paragraph 130(f) of the Framework which together seek to protect the amenity and privacy of adjoining neighbours.

Conclusion

21. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR