



Appeal Decision

Site visit made on 1 March 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/D3640/D/22/3311768

25 Newark Road, Windlesham, Surrey GU20 6NE

- 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 A Hayden against the decision of Surrey Heath Borough Council.
 - The application Ref 22/0638/FFU, dated 30 June 2022, was refused by notice dated 25 October 2022.
 - The proposed development is a two-storey side extension and single-storey rear extension following demolition of existing garage and utility room; new loft conversion and dormer extension to existing roof.
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Decision

1. The appeal is dismissed insofar as it relates to the new loft conversion and dormer extension to existing roof.
2. The appeal is allowed and planning permission is granted for a two-storey side extension and single-storey rear extension following demolition of existing garage and utility room at 25 Newark Road, Windlesham, Surrey GU20 6NE, in accordance with the terms of application ref: 22/0638/FFU dated 30 June 2022 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted, which for the avoidance of doubt only relates to the two-storey side extension and single storey rear extension following demolition of existing garage and utility room, shall be carried out in accordance with the following approved plans: 21/22/065/1A (existing plans), 21/22/065/2B (proposed plans), 21/22/065/3B (sections and notes) and RMT759-TCP (Tree Constraints Plan) and RMT759-TPP (Tree Protection Plan).
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used on the existing dwelling.
 - 4) Notwithstanding the above condition relating to the approved plans, no works or development shall take place until an updated Arboricultural Method Statement (AMA) and Tree Protection Plan (TPP) specific to this scheme, has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with and address sections 5.5, 6.1, 6.3 and 7 of British Standard 5837:2021 Trees in relation to design, demolition and construction – recommendations.

Once the protective fencing has been installed and prior to the commencement of any works on site at least 5 working days notice shall be given to the Local Planning Authority to attend a pre-commencement site meeting to inspect all tree protection measures and to confirm that they have been erected in the correct location and in accordance with the approved specifications, such confirmation to be in writing. Alternatively, and prior to the commencement of any works on site, photo evidence can be submitted to and approved in writing by the Local Planning Authority which clearly demonstrates that all elements of the approved tree protection, including ground protection and any other measures, have been installed in accordance with the approved AMA and TPP.

Nothing shall be stored or placed in any areas identified by the above documents, including the protective fenced area, nor shall ground levels be altered or excavation undertaken within the protected area. The protective fencing as approved shall be retained intact for the full duration of the development and shall not be removed or repositioned. Thereafter the works shall be carried out in accordance with the approved details as part of and until completion of the development hereby permitted.

Main Issue

3. The main issue is the impact on the character and appearance of the host dwelling and street scene.

Reasons

4. The appeal site comprises a two-storey detached property of modern design with main tiled pitched roof and brick elevations, with 'mock tudor' timber panels to the front elevation. A private drive runs between Nos. 23 and 25 which serves Nos. 25a – 25d which lie to the rear (south-west) of the appeal site. To the side where the appeal site adjoins the private drive, is an attached single storey extension providing a double garage, the majority of which has a pitched roof with a flat roofed element to the rear. The extension is set back from the side boundary and is largely screened by a tall conifer hedge which marks the private drive boundary; two trees are located within the garden area and the site is covered by a Tree Preservation Order.
5. The Council's Residential Design Guide SPD (2017) (RDG) contains guidance within a number of Principles, including that extensions will be expected to be subordinate to and consistent with the form, scale and architectural style of the host building and in respect of side extensions, that they should not erode the character of the street scene. Additionally, in respect of roof alterations, it states that they should be sympathetic and subservient to the design of the main building; dormers should be set back from the sides and ridgeline of the roof and not occupy more than half the width and depth of the roofslope.
6. The side elevation of the existing dwelling is relatively prominent in the street due to the gap created by the adjoining private drive with the upper part visible above the boundary hedge. The proposed extension which would replace the existing garage addition would also be clearly visible. However, due to its set back from the front elevation, set in from the side boundary and lower ridge height in relation to the host dwelling, it would not appear overly prominent. It would also be screened to an extent by the conifer hedge. Overall, I do not

consider that it would be disproportionately large in comparison to the host dwelling.

7. The gable wall of the two storey side extension would only contain one window at upper level with door and window at ground floor level. Whilst this would be less than the existing gable end, I do not consider that it would result in the extension appearing overly dominant.
8. However, the proposed roof dormer would be fairly substantial in size, extending across the much of the width of the roof of the existing dwelling and only just below the ridgeline, though would be set up from the eaves. Whilst it would be set in from one side, there appears to be little set back where it would adjoin the new extension. In terms of its width, depth and set back it does not accord with the RDG guidance. Whilst I acknowledge that it would not be readily seen within the street scene, though would be visible from the adjoining private drive, it would fail to achieve the subservience that is required by policy and guidance. The Appellant suggests that it could be built as permitted development but in the absence of a lawful development certificate, I am unable to give this factor weight.
9. Therefore, for the reasons given above, I find that the proposed two storey side extension and single storey rear extension would be sympathetic to the character and appearance of the host dwelling and street scene, thereby according with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (2012) and Policy WNP2.1 of the Windlesham Neighbourhood Plan which seek high quality development that respects and enhances the quality of the environment and village, with particular regard to scale and massing, amongst other things and which maintains the general scale of development in the surrounding area without creating any overbearing presence. It would also accord with principles 10.1, 10.3 and 10.5 of the RDG.
10. With regard to the National Planning Policy Framework and National Design Guide, I find that this element of the proposal would contribute to achieving well designed places and would be sympathetic to the surrounding built environment.
11. However, the proposed loft conversion with rear dormer would fail to comply with relevant policy and guidance as set out above.

Conclusions

12. Given that the two elements of the proposal are physically separate and severable I intend to issue a split decision. With regard to the proposed extensions, conditions to relate to the approved plans and to require matching materials are necessary in the interests of proper planning and in the interests of visual amenity. The Council has also suggested a further condition to require an updated Arboricultural Method Statement and Tree Protection Plan to ensure appropriate ground protection and foundation details. I agree that such a condition is necessary to ensure the future health of the protected trees.
13. I therefore conclude that this appeal should be dismissed in part and allowed in part.

P Jarvis

INSPECTOR