



Appeal Decision

Site visit made on 16th March 2023

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 19th April 2023

Appeal Ref: APP/R3650/D/22/3307993

34 Grove Road, Godalming, Surrey GU7 1RE

- 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 Samuel MacDonald against the decision of Waverley Borough Council.
 - The application Ref.WA/2022/01497, dated 23 May 2022, was refused by notice dated 25 August 2022.
 - The development proposed is an existing single storey extension roof to be demolished and new flat roof and raised deck to be constructed & a proposed first floor bridge connecting bedroom with existing raised terrace.
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Decision

1. The appeal is allowed and planning permission is granted for an existing single storey extension roof to be demolished and new flat roof and raised deck to be constructed & a proposed first floor bridge connecting bedroom with existing raised terrace at 34 Grove Road, Godalming, Surrey GU7 1RE in accordance with the terms of the application, ref.WA/2022/01497, dated 23 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans:
 - L-1854-66 Location Plan
 - L-1854-67 Block Plan
 - L-1854-50 Basement Floor Plan
 - L-1854-51 Ground floor Plan
 - L-1854-52 First Floor Plan
 - L-1854-53 Roof Plan
 - L-1854-54 Elevations North East and North West
 - L-1854-55 Elevations South West and South East
 - L-1854-60B Proposed Basement Floor Plan
 - L-1854-61B Proposed Ground floor Plan
 - L-1854-62B Proposed First Floor Plan
 - L-1854-64B Elevations Proposed North East and North West
 - L-1854-65B Elevations Proposed South West and South East
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in the appeal is the effect of the proposed walkways and balustrades on the living conditions of the occupants of 35 Grove Road in relation to privacy and overlooking.

Reasons

3. The appeal site is located within the Ockford Road Conservation Area which encompasses the south-western approach to Godalming town centre.
4. The site consists of an end-of-terrace three-storey residential property, with a basement, ground and first floor and a rear garden made up of a number of terraces on different levels. It is on the south-eastern side of Grove Road. Grove Road is very steep. It rises in a south-to-north direction which has given rise to a sharp and staggered climb of built form from a Dental Practice on the junction of Grove Road and Shackstead Lane up to the appeal site at no.34. The road then plateaus slightly around a bend in the road and there is further development on higher land. Shackstead Lane runs perpendicular to the south of Grove Road in a north-west to south-east direction.
5. The rear garden is divided across three primary levels, with a small courtyard at basement level, patio and flowerbeds at ground floor level and a paved area with flowerbeds at first floor level, which leads to a grassed area via a set of steps. Owing to the topography and vegetation the rear garden is not significantly overlooked from nearby property on higher land. No.35 Grove Road is the immediate downhill neighbouring property on the terrace.
6. The proposed development includes a new door and link bridge at first floor level from a bedroom to directly connect the highest terraced garden area to the house. It would have laminated glass railings either side. At ground floor level the proposal includes the extension of the existing patio across the rear of the house to the existing parapet wall (which forms the external wall of the bathroom at basement level) and new patio doors. Part of the external area at basement level would be covered by the patio. The patio extension would have a 1.2m high glass balustrade which would be opaque close to the access to the house but made of clear glass panels as it extends in a south-east direction towards another part of the garden.
7. It is the proposed walkways and balustrades which are the focus of concern. I am satisfied that the other elements of the proposed development would not cause unacceptable planning or heritage harm.
8. Owing to the steep gradient of Grove Road there are existing extensive views from the rear garden of no.34 in a south west direction down to the roof of the Dental Practice. There are varying degrees of mutual overlooking including from higher windows along the terrace where there are views of a number of rear gardens. Amongst other things, there is a rear dormer window at no.35 Grove Road which permits overlooking of much of the appeal site's rear garden.
9. The proposed first floor link bridge would have a glass balustrade with panels about 1100mm high. Views to the north east from it would be filtered by vegetation and not intrusive for the occupants of flats adjacent at 29 Grove Road. New views to the south-west would broadly replicate views of neighbouring downhill gardens and windows that are already possible from parts of the two highest rear terraces at the appeal site. Furthermore, the link

would be relatively short in length and would be likely to be used as a means of access to the upper terrace where the user would pass and repass as opposed to linger.

10. The proposed ground floor patio screening would consist of a couple of laminated glazed screening panels with an opaque finish. They would be closest to the new patio sliding doors. Connected to those panels are further glass panels which would be clear glass and about 1200mm high. The proposed opaque panels would reduce the overlooking which is currently possible from the sitting/dining room window on the ground floor of no.34 into the rear garden of no.35. Furthermore, whilst the other panels would be clear glass, I consider that the occupants of no.35, when in their ground floor rear-facing room closest to the appeal site, would overall have more privacy than they currently do. They may also feel less overlooked when using the area immediately outside that window which is accessed from a side door on their rear addition. As the proposed glass balustrade would be angled into the patio that would protect the light reaching the ground floor window at no.35 closest to the appeal site.
11. These factors lead me to conclude that in relation to overlooking of the windows and garden of no.35 Grove Road the proposed balustrade would result in a net benefit and, in relation to the privacy of other downhill properties on Grove Road, the impact of the balustrade and the proposed first floor link bridge would be neutral, given existing views from the appeal site.
12. Whilst there would be new vantage points created by the proposed link bridge, extension of the patio and its balustrade, these would not lead to significantly different or materially more extensive vistas than are currently possible. I conclude that the link bridge/walkway and balustrades would not harm the living conditions of the occupants of no.35 Grove Road or other neighbours by reason of loss of privacy.
13. The proposal would not be in breach of policy TD1 of the Waverley Local Plan (Part 1) 2018, retained policies D1 or D4 of the Waverley Borough Local Plan 2002 or the *Residential Extensions* Supplementary Planning Document.

Other Matters

14. I have borne in mind the statutory duty to pay special attention to preserving or enhancing the character and appearance of conservation areas. Whilst the proposed development would be at the rear of no.34 Grove Road and would be difficult to see from the public realm, the preservation of the significance of the Ockford Road Conservation Area is nevertheless an important consideration. In this case the proposed link bridge and patio balustrade are proposed to be constructed in high quality materials and would have a relatively lightweight appearance. For those reasons, I consider that the significance of the Conservation Area would not be harmed and its character would be preserved. I am supported in that conclusion by the Council.

Conditions

15. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. A condition which strictly ties the built development to the approved plans is necessary for the avoidance of doubt. In order to protect the character and appearance of the host dwelling and its

surroundings a condition requiring the proposed development to match the existing materials is necessary.

Conclusion

16. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas K.C.

INSPECTOR