



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: 20th April 2023

Appeal Ref: APP/R3650/D/22/3309615

11 Willow Road, Farncombe, Godalming, Surrey GU7 3SP

- 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 Ms Katie Plummer against the decision of Waverley Borough Council.
 - The application Ref.WA/2022/01668, dated 17 June 2022, was refused by notice dated 22 September 2022.
 - The development proposed is a two-storey extension to the front of the existing residential property and proposed driveway extension with widened dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey extension to the front of the existing residential property and proposed driveway extension with widened dropped kerb at 11 Willow Road, Farncombe, Godalming, Surrey GU7 3SP in accordance with the terms of the application, Ref.WA/2022/01668, dated 17 June 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:

0003_001 Rev A Existing Site location and Block Plan; 0003_002 Existing Site Plan and Floor Plans; 0003_003 Existing Elevations; 0003_004 Rev B Proposed Site Location and Block Plan; 0003_005 Rev B Proposed Site Plan and Floor Plans & 0003_006 Proposed Elevations.
 - 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.
 - 4) The ground floor and first floor windows in the north east (side) and the south western (side) elevations shall be glazed with obscured glazing and no part of those windows that is less than 1.7m above the floor level of the room in which they are installed shall be capable of being opened. Thereafter the windows shall be retained in that condition.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the living conditions of the occupants of 13 Willow Road in relation to loss of outlook and loss of light.

Reasons

3. The appeal site is a two storey detached house on the north-west side of Willow Road in a residential area. The site is generally flat. 9 Willow Road is location to the south and this is orientated towards a road junction away from the appeal site, which directly faces this arm of Willow Road. No.13 Willow Road is a detached dwelling located adjacent to the appeal site on its north-eastern side.
4. Planning permission is sought for the erection of a two-storey front extension, widening of an existing dropped kerb and alterations to the parking arrangements.
5. No.13 Willow Road is a chalet bungalow with its gable end facing the road. In the roof slope facing the appeal site there are three rooflights and some solar panels. The rooflights are located broadly speaking in the central part of the roof slope. The north western rooflight serves a bedroom and is opposite the two storey dwelling on the appeal site. The central rooflight serves a stairwell and the south-eastern rooflight serves a bedroom.
6. There is an existing gap (about 1.8m) between the north-eastern flank elevation of no.11 and the flank wall of no.13. This would partially reduce at ground floor level if the proposal was implemented, but the gap at first floor level would remain. Each relevant roofslope slopes away from each other and this would continue to be the case if the proposal was implemented. Furthermore, the roof of the proposed front extension closest to no.13 would be hipped and its ridge line would be lower than the ridge line on the original dwelling.
7. In addition to that the two bedrooms at no.13 which have the rooflights each have an additional window. In each case this is the primary window and is in each gable end (north-west rear and south-east front elevations). These are good-sized windows measuring about 1.7m wide by about 1m high.
8. A combination of all these factors leads me to conclude that the outlook from each of the two bedrooms would not be unduly oppressive when considered in the round. The middle rooflight does not function to provide a view and I note the Council do not allege that there would be a loss of outlook from that rooflight sufficient to warrant the refusal of planning permission. I agree with that conclusion.
9. Given the orientations, roof heights and profiles and separation distances that would be in play after the proposed development was in place, I do not consider that there would be a loss of light to the stairway or the two bedrooms sufficient to warrant refusal of planning permission.
10. There is an array of solar panels on the southern roof slope of no.13 Willow Road. Potential loss of daylight/sunlight reaching solar panels is a material consideration in the decision-making process. The use of solar panels contributes to the reduction in reliance on non-renewable energy and

consequently carbon emissions, even though individually it is a very modest contribution.

11. A Shadow Study by Gorzelak Architects has been created using a 3D model of the existing dwelling, its neighbours, and the proposed extension. The model was created following on from a measured building survey, using GPS co-ordinates and the sun's path at specific times of the year to illustrate the cast of the shadows. The sun is highest in the sky at the summer solstice and lowest at the winter solstice. It maps the sun's path at consistent intervals on both these days including when shadows are at their minimum and maximum. It includes analysing shadows which are cast by no.9 Willow Road which stands significantly further forward of the existing front building line of no.11. It demonstrates that the proposed development would have a negligible adverse impact on light reaching the solar panels at no.13 Willow Road. I consider this is a study to which considerable weight can be attached and as a result I consider that light reaching the solar panels would not be unduly affected by the proposed development. I am supported by the Council in my conclusion as I note that the Council did not assert that the proposed development would materially reduce light reaching the solar panels.
12. Therefore, on the main issue, I conclude that the proposed development would not harm the living conditions of the occupants of no.13 Willow Road by reason of loss of light or outlook and would not unduly compromise the optimisation of their solar panels. The proposal would not be in breach of policy TD1 of the Waverley Local Plan (Part 1) 2018 or retained policies D1 or D4 of the Waverley Local Plan 2002.

Other Matters

13. Concerns have been raised in respect of the impact of the scale, bulk and massing of the proposed development on the streetscene, however, the proposed new front elevation of no.11 would be behind the south-eastern corner of no.9 Willow Road (which is a two storey dwelling) and would also be behind the front building line of no.13. It would not therefore dominate the Willow Road streetscene or look squeezed into its plot. It would be an efficient use of urban land whilst leaving sufficient private amenity space for a four bedroomed dwelling.

Conditions

14. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. A condition which 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 extension to match the existing materials is necessary. Some windows in flank elevations are conditioned to have obscured glass and be partially fixed shut in order to preserve neighbours' privacy.

Conclusion

15. 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