The Planning Inspectorate

Appeal Decision

Site visit made on 4 May 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023.

Appeal Ref: APP/A3655/D/23/3316120
7 St Marthas Avenue, Woking, Surrey, GU22 9BN

- 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 Carl Hodge against the decision of Woking Borough Council.
- The application Ref. PLAN/2022/0872, dated 14 September 2022, was refused by notice dated 16 November 2022.
- The development proposed is erection of part two storey, part first floor rear extensions and insertion of front rooflights to facilitate habitable accommodation at first floor level.

Decision

1. The appeal is allowed and planning permission is granted for erection of part two storey, part first floor rear extensions and insertion of front rooflights to facilitate habitable accommodation at first floor level at 7 St Marthas Avenue, Woking, Surrey, GU22 9BN in accordance with the terms of the application, Ref. PLAN/2022/0872 dated 14 September 2022, and the plans submitted with it and subject to the conditions listed below.

    1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.

    2) 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 or otherwise be in accordance with those in the application form.

    3) The development hereby permitted shall be carried out in accordance with the following approved plans: A101; A102; A107; A108; A109; A110.

Preliminary Matter

2. I have adopted the description of development as set out in the decision notice as this provides a more accurate summary of the proposal.

Main Issues

3. The main issues are the effect of the proposed development on (a) the character and appearance of the host property and surrounding area; and (b) the living conditions of neighbouring occupiers.

Reasons

Character and appearance

4. The Council's reasons for refusal refer to policy CS21 of the Woking Core Strategy (October 2012) (WCS) which seeks, amongst other requirements, to ensure that new development is of a good quality of design, and respects and makes a positive contribution to the streetscene and character of the area by paying due regard to scale, layout, proportions, height, building lines, materials and other characteristics of adjoining buildings. More up to date policy guidance is provided in paragraph 130 and of the National Planning Policy Framework (July 2021) (Framework) which states that being sympathetic to local character should not prevent or discourage appropriate innovation or change.

5. The Council have also referred to the Woking Design Supplementary Planning Document (February 2015) (Design SPD). I have assumed that the relevant reference in this document is section 9D ('Residential Extensions'), which provides general advice on different types of extensions and includes a helpful 'checklist'. In summary, it advises that extensions should seek to enhance the host property, ensure that the addition is appropriate and proportional to the size of the host and its grounds, does not impact on the living conditions of neighbours and does not compromise existing garden (amenity) areas.

6. Both policy CS21 of the WCS and the Design SPD predate the Framework and the National Design Guide (NDG) (January 2021). The latter reinforces the Framework, for example, at paragraph 44 by emphasising that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.

7. The appeal proposal involves a number of elements including the insertion of front rooflights and a single storey rear extension to which the Council do not object. The Council do contend that the proposed first floor rear extension would result in harm to the character and appearance of the host property and surrounding area, and an overdevelopment of the appeal site.

8. The appeal site is located on the corner of St Marthas Avenue with Riverdale Drive. It comprises a detached single storey bungalow with storage space in the loft set within a generous and well landscaped plot. The surrounding properties comprise a mixture of largely detached bungalows, chalet bungalows and some two storey properties, that vary in terms of their layout, scale, form style and materials. There is no uniform design or character and a number of properties have been extended particularly at roof level through the provision of new dormers and other alterations.

9. Whilst I accept that the proposed first floor extension would result in an increase in the bulk of the rear of the host property, that increase would not be significant or harmful to the host property or streetscene. The majority of the new first floor extension would be accommodated within the existing roof plane and gable end, other than where the existing hip end, on the north western corner of the building would be increased in height and depth to provide a similar gable end to existing. Even so, the increase in mass and bulk resulting from the new gable end would be modest and the infilling of the area in between, incorporating a flat roof, would not involve the proposal extending above the existing ridge. Similarly, the footprint of the host would not extend beyond the rear wall to the existing gable end or involve built development encroaching further than this into the rear garden. Combined with the proposed pallet of materials, including the use of timber cladding to match

existing, the proposed extension would, in my view, sit reasonably comfortably on the rear part of the host property. Whilst I note that the Council suggest that timber cladding would alter the character of the host, I do not agree. The rear elevation already includes a mixture of rendered white/cream masonry walls, timber cladding and clay tiles. The inclusion of further timber cladding would provide some consistency to the upper part (first floor) of the rear elevation and would contrast well with the rendered ground floor.

10. I accept that there would be a material change to the scale and design of the rear of the host property, but, even so, I am satisfied that all the proposed changes would be acceptable in refreshing its appearance and providing a better balance to this elevation. Even so, as I observed on site, there are limited views of the rear to the host property from public vantage points with boundary fencing, trees, landscaping and a shed, on the appeal site's eastern boundary, providing an effective screen. Combined with the orientation of the host building, with the rear facing north east away from Riverdale Drive, any public views are largely limited to those from the existing public footpath that runs along the eastern boundary of the appeal site. However, even those views are restricted by the narrow width of the footpath and the boundary fencing, mature trees and landscaping to the appeal site.

11. Overall, I am satisfied that the impact of the proposed rear extension on the host property and the streetscene would not be harmful. The proposed extension would not appear incongruous or visually dominant, and given the limited views from public vantage points it would not appear out of character.

12. As to the Council's reference to overdevelopment, there is no substantial evidence before me to support that statement. Indeed, I fail to see how an extension that would not encroach further into the rear garden and would largely be incorporated by squaring off the existing rear footprint could amount to the overdevelopment of the site. As I confirmed earlier, the host property sits within a generous plot with extensive gardens to the front and rear, none of which would be lost and where there is more than sufficient on-site parking.

13. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the host property or the streetscene and would be compliant, in this respect, with policy CS21 of the WCS, the guidance within the Design SPD and the corresponding policies of the Framework and NDG.

Neighbours living conditions

14. The Council contend that the proposed rear extension would have an overbearing impact on its neighbours. The Council's Delegated Report (CDR) identifies those neighbours as being the occupiers of 5 St Marthas Avenue (No.5), located to the north west of the appeal site. In this respect, the Council allege that the proposal would be contrary to policy CS21 and I have assumed that this relates to point two of that policy which seeks to achieve a satisfactory relationship between new development and adjoining properties so as to avoid any harmful impact on the latter's living conditions. The Council have also referred to its Outlook, Amenity, Privacy & Daylight Supplementary Planning Document (July 2008) (OAPD) and its Design SPD.

15. Turning to the OAPD the Council have not referred to any specific paragraphs in this document, albeit the CDR indicates that the proposal accords with the 45^0 and 25^0 tests that are set out within that document. The CDR continues by

referring to the advice within the Design SPD, where it requires two storey side extensions to retain a minimum gap of 1 metre between the extension and the side boundary. However, as the Appellant has pointed out, the appeal proposal does not involve a side extension. As I also confirmed above, the proposal would not result in any built development encroaching closer to the side boundary with No.5. Furthermore, both the OAPD and the Design SPD provide appropriate guidance, with any dimensions given for advice only and should, therefore, be applied flexibly having regard to the individual circumstances of the case and the nature of the proposed development itself.

16. I accept that the proposal would involve the replacement of the existing hipped extension with a larger gabled extension, which would be deeper and higher than the hipped extension. Even so, the increase in mass and bulk resulting from the new gable end would be modest, the height of the eaves would remain as existing and the extended roof forming the gable end would rise away from the boundary with No.5. Consequently, the proposal would not have any overbearing impact on the outlook of the occupiers of No.5.

17. The above findings are supported by my observations on site and specifically the presence of the existing extensive hedge that runs along the whole of the side boundary of the appeal site with No.5. The exact height of this hedge is not shown on the submitted plans, but it extends well above the height of the eaves to the side elevation of the host building. This hedge is supplemented, in places, by wicker fencing and provides an effective screen between the host and No.5. As such, it would limit any views of the proposal from the adjoining property to just the upper part of the new gable end roof as it slopes up and away from the common boundary.

18. Accordingly, I find that the appeal proposal would not lead to any harm to the living conditions of the neighbouring occupiers of No.5 and would, therefore, be compliant, in this respect, with policy CS21 of the WCS, the guidance within the OAPD and Design SPD, and paragraph 130 f) of the Framework.

Conditions

19. The Council has suggested conditions which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans and for materials to match existing or otherwise be in accordance with those in the application form, are necessary and reasonable to secure a high-quality development and to reflect the details included in the application. I have, however, added a list of approved plans for clarity.

Conclusion

20. For the reasons given above and having taken all the matters raised into account I conclude that the appeal should be allowed.

G Roberts

INSPECTOR