



Appeal Decision

Site visit made on 16 May 2023

by Rebecca Redford

an Inspector appointed by the Secretary of State

Decision date: 1 June 2023

Appeal Ref: APP/R3650/W/22/3308786

64 Wey Hill, Haslemere GU27 1HN

- 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 Harun Miah against the decision of Waverley Borough Council.
 - The application Ref WA/2022/00981, dated 18 February 2022, was refused by notice dated 16 May 2022.
 - The development proposed is described as alterations to the shopfront and a first-floor side and roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to the shopfront and a first-floor side and roof extension at 64 Wey Hill, Haslemere GU27 1HN in accordance with the terms of the application, Ref WA/2022/00981, dated 18 February 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 accordance with the following approved plans: 2102 A A (00)_100 P02; 2102 A A (00)_102 P02; 2102 A A (00)_202 P02; and 2102 A A (00)_203 P02.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plans: 2102 A A (00)_202 P02; and 2102 A A (00)_203 P02.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows above ground floor level, other than those expressly authorised by this permission, shall be constructed on the north (rear) elevation of 64 Wey Hill Road.
 - 5) Any alterations to, or replacement of the extraction system shall be undertaken in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Procedural Matters

2. Since the appeal was submitted, I have been made aware that the Council has adopted the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies on 21 March 2023, which would form part of the development plan. I have requested the relevant documents and policies specific to this proposal, along with any comments, from the main parties, but

none have been forthcoming. Consequently, I have had to make my decision in accordance with the policy documents set out in the decision notice.

Background and Main Issue

3. It is noted that this is a resubmission of a previous scheme, WA/2021/02273, and the Council is content the proposed development can overcome its previous concerns relating to access to light for the occupants of unit 4 of former 64A Wey Hill (No 64A), which is located behind the appeal site.
4. No 64A, is a 3-storey apartment building with 8 units spread over the first and second floor. The appellant has submitted plans of No 64A which show unit 4 on the first floor and positioned to the rear of the appeal site. They show that unit 4 has windows from the main living space onto a balcony that overlooks the parking and access area adjacent to the appeal site. The windows for one of its bedrooms also look directly at the rear of the appeal building. The Council have not objected to the accuracy of these plans.
5. Therefore, the main issue is the effect of the proposed development on the living conditions of the occupants of unit 4 with specific regard to outlook.

Reasons

6. The appeal site is a detached 2 storey building facing onto Wey Hill and has a roof ridge which runs front to back. There is a series of single storey extensions to the side and rear which are adjacent to the parking and access area.
7. The proposal would extend the first floor of the appeal building out to meet the side elevation of the ground floor, which would increase the ridge height of the roof. It would also re-finish the rear single storey elements in timber cladding to match No 64 and create a unified flat artificial green roof and partial gable wall.
8. From the information provided, and the relationship I observed on site between unit 4's balcony and the appeal site, the proposal would not alter the outlook from the balcony facing windows. This is because the proposed first floor extensions would not extend beyond the balcony so would not encroach into the existing available views across the access area, thus retaining the existing outlook.
9. The outlook from unit 4's bedroom windows is currently dominated by the somewhat unkempt and patchwork rear elevation of the appeal building that has been created by the awkward relationship between the existing rear extensions. There is potential of some limited views across the existing single storey side extension of the appeal building. However, these would not be extensive nor especially open, as they would be of the side elevation of the building on the opposite side of the parking and access area.
10. The proposed increase in width and height of the upper floor of the appeal building would reduce the views across the parking and access area, but it would also unify and simplify the rear elevation, whilst creating some interest with the installation of an artificial green roof and wall which would generally improve the rear facing aesthetic. Therefore, the marginal loss of a limited and obtuse view would be outweighed by the improvement in the quality of design of the appeal building's rear elevation. Consequently, the proposal would not significantly increase the already existing overbearing nature of the rear

elevation of the appeal site, and the proposed re-design would bring modest improvements to the vista from the bedroom windows, therefore improve the overall outlook.

11. Consequently, I find the proposal would not harm the living conditions of the occupants of unit 4, with specific regard to outlook. It would comply with Policy TD1 of the Local Plan (Part 1) 2018, Policies D1 and D4 of the Waverley Borough Local Plan 2002, and the Council's Residential Extensions Supplementary Planning Document 2010, along with the National Planning Policy Framework (the Framework), insofar as they seek to maintain the amenity of neighbouring occupants.

Conditions

12. The Council has suggested some conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended them for consistency and clarity.
13. In addition to the standard time limit condition, I have imposed conditions requiring the development to be carried out in accordance with the approved plans as this provides certainty and ensures the materials are appropriate.
14. Condition 4 has been imposed to provide control over any additional windows above ground floor level in the rear elevation of the appeal site, to prevent potential future impact on the privacy of the occupants of the appeal site and No 64A.
15. It is noted the extraction system could be replaced without detriment to the living conditions of occupants of the appeal site or the neighbouring properties, and this may be required as part of the proposed development. However, as it is uncertain whether it would need to be replaced or what it would be replaced with, I have imposed condition 5.

Conclusion

16. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR