

Appeal Decision

Site visit made on 2 August 2023

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th August 2023

Appeal Ref: APP/A3655/D/23/3320778

Ennis Pindi, 36 Foxlake Road, Byfleet, West Byfleet, KT14 7PW

- 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 Gary Cooke against the decision of Woking Borough Council.
 - The application Ref PLAN/2023/0105 dated 6 February 2023, was refused by notice dated 31 March 2023.
 - The development proposed is for the erection of a single storey side extension following demolition of existing garage, single storey rear infill extension and rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side extension following demolition of existing garage, single storey rear infill extension and rear dormer at Ennis Pindi, 36 Foxlake Road, Byfleet, West Byfleet, KT14 7PW in accordance with the terms of the application, PLAN/2023/0105 dated 6 February 2023, 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 shall be carried out in accordance with the following approved plans: 1906-100, 1906-101, 1906-105, 1906-111, 1906-115, 1906-120, 1906-122, 1906-123, 1906-130, 1906-131, 1906-140 and 1906-141.
 - 3) The external materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those of the existing dwelling.
 - 4) No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS hierarchy and be compliant with the National Planning Policy Framework and the accompanying National Planning Policy Guidance. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby permitted.
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Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the existing property and the street scene. The second main issue is the effect of the proposal on highway safety and the living conditions of local residents due to additional demand for on-street parking spaces.

Reasons

Character and appearance

3. The dwellings in Foxlake Road originally comprised symmetrically designed pairs of semi-detached bungalows with front projecting wings and fully hipped roofs. Over the years many of the dwellings have been extended and in particular a good proportion of the dwellings now have hip to gable additions to the side and large flat roofed rear dormer extensions. Whilst this has disrupted the original sense of symmetry, the similarity of most of the roof additions helps to retain the strong sense of uniformity within the road. They have become an integral part of the prevailing character and appearance of the dwellings as a whole and the street scene.
4. The appeal dwelling is located at the end of the cul-de-sac and comprises one of a pair of semi-detached bungalows that have not been extended to the side or had dormer extensions. The pair of dwellings form one of three pairs of bungalows positioned around the turning head at the end of the cul-de-sac. Three of these bungalows have hip to gable and large rear dormer extensions. Between the appeal site and the turning located a short distance to the northeast there are 11 such extensions. They are commonplace in Foxlake Road and now form an integral part of the character and appearance of the street scene.
5. Together and amongst other things the paragraph 130 of the National Planning Policy Framework (the Framework) and policies CS21 & CS24 of the Woking Core Strategy (CS) seek to ensure that new development is attractive, respects and makes a positive contribution to the street scene and the character of the area, whilst not preventing or discouraging appropriate change. The Woking Supplementary Planning Document – Design Guide 2015 (WDG) has similar objectives.
6. The main part of the proposed side extension would have a gable end, which would reflect that of the numerous hip to gable extensions within Foxlake Road. Although the width of the dwelling would be increased, its mass would be broken by the existing front projection. The small add on element to the side extension would be located towards the rear of the dwelling and would be modest in size, form and appearance. The proposed rear infill extension would replace an existing open sided extension and would adjoin the existing rear extension. The two elements would have a continuous flat roof with two skylights.
7. All of these elements of the proposal would respect the proportions and character of the host dwelling and the pair of dwellings. Accordingly, subject to the use of matching external materials they would respect the host dwelling, the street scene and the rear garden environment.

8. The proposed rear dormer extension would fill most of the resultant rear roof slope, being set just below the existing ridge line and set in from the sides of the dwelling. Whilst it would be wider than other extensions, due to the increased width of the dwelling, it would not be as wide as the adjoining rear dormers found on numerous pairs of dwellings within Foxlake Road. More important, it would respect the form and design of other nearby rear dormer extensions, which are an integral part of the character and appearance of the rear garden environment in Foxlake Road. In addition, the proposed dormer extension would sit behind the proposed flat roofed single storey rear extension, which would prevent it from appearing top heavy.
9. Whilst most of the existing rear dormer cheeks are clearly visible from Foxlake Road, the proposed rear dormer would not be. This is because the appeal dwelling is located at the head of the cul-de-sac where only its resultant front elevation would be visible.
10. The rear dormer would however be clearly visible from the Farm Close. From Farm Close the extension would be partially screened from the street scene by the existing flat roofed parking court located to the rear of the appeal site. Where it could be seen it would be located between the large dormer cheeks at 35 and 38 Foxlake Road. Also, the dwellings in Farm Close comprise pairs of large two storey semi-detached houses with shallow pitched roofs and strong horizontal lines. As a consequence, the proposed dormer extension would be readily assimilated into the street scene in Farm Close
11. I conclude on the first main issue that the proposal would respect the character and appearance of the host dwelling and the existing street scenes. Accordingly, it would comply with CS Policies CS21 & CS24 of the Core Strategy, the WDG and paragraph 130 of the Framework.

Parking

12. Foxlake Road is a large cul-de-sac with unrestricted on-street parking. All of the dwellings within Foxlake Road have on-site parking/garages, typically for two or more cars. Being located at the head of the cul-de-sac the appeal property has an irregular shaped front garden, which currently has space laid out for four cars, which includes tandem parking. There is also a garage, which is substandard in size and located to the rear of the tandem parking spaces.
13. CS Policy CS18 supports a sustainable transport system, which includes applying minimum parking standards for residential development, where they do not undermine the overall sustainability objectives. CS Policy CS21 seeks to protect the living conditions of existing residents and the WDG seeks appropriate levels of parking.
14. The Woking Parking Standards Supplementary Planning Document (PS-SPD), states that the minimum parking standard for a two bedroom house is 1 space and for a three bedroom house is 2 spaces. Parking spaces should be at least 2.4 metres wide and 4.8 metres deep.
15. With the proposal the number of bedrooms would increase from two to three and so there is a requirement for two on-site car parking spaces. The submitted proposed ground floor plan shows three parking spaces. The two outer spaces meet the minimum sizes stated above. The third space is wider

than 2.4 metres, but is less than 4.8 metres in depth. Notwithstanding this it was being used at the time of the appeal site visit and was able to accommodate a car without encroaching across the pavement. Also, having regard to the width and open plan nature of the front garden if the central car was parked at an angle, the depth would be even greater, whilst still maintaining pedestrian access to the front door to the dwelling. Also, at the time of the appeal site visit there were numerous on-road parking spaces available within Foxlake Road. For these reasons, the proposal would more than satisfy the council's minimum parking standards.

16. For these reasons I conclude on the second main issue that the proposal would not have an unacceptable impact on highway safety and would not harm the living conditions of local residents due to noise, disturbance or inconvenience resulting from on-street parking. Accordingly, the proposal would comply with CS Policies CS18 & CS21, the PS-SPD, the WDG and paragraph 111 of the Framework.

Conditions

17. The council has suggested the imposition of conditions relating to the use of matching external materials, the approval of surface water drainage provisions and adherence to the submitted drawings. These conditions are necessary to protect the character and appearance of the host dwelling and its surroundings; to ensure the site is satisfactorily drained and does not increase the risk of flooding elsewhere; and in the interests of certainty.
18. Finally, the council has suggested the imposition of a condition which prevents the use of the flat roof over the rear extension from being used for a terrace or sitting out area. I consider that this condition is unnecessary as the use of the roof for such uses would require planning permission. This is because it falls outside the scope of the permitted development rights set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended).

Conclusion

19. In view of the conclusions on both main uses and having regard to all other matters, including the location of the site within an area at risk of flooding, the appeal is allowed.

Elizabeth Lawrence

INSPECTOR