



Appeal Decision

Site visit made on 26 September 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12.10.2023

Appeal Ref: APP/R3650/D/23/3322940

26 Upper Way, Farnham, Surrey, GU9 8RG

- 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 Laura Dawson against the decision of Waverley Borough Council.
 - The application Ref WA/2023/00693, dated 6 September 2022, was refused by notice dated 10 May 2023.
 - The development proposed is rear and side extensions to existing detached house.
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Decision

1. The appeal is allowed and planning permission is granted for rear and side extensions to existing detached house at 26 Upper Way, Farnham, Surrey, GU9 8RG in accordance with the terms of the application, Ref WA/2023/00693, dated 6 September 2022, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with following approved plans: Location Plan; Proposed Plans Rev B; Proposed Elevations Rev B.
 - 4) The extension hereby permitted shall not be occupied until the window at the eastern side elevation serving the first-floor ensuite bathroom has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of occupiers of 24 Upper Way, with particular regard to outlook, light and privacy.

Reasons

3. The appeal site relates to a 2 storey detached house with an attached half hipped roof garage. The rear building line extends slightly further back than the neighbouring house, No 24, which has ground floor windows and a first floor window facing the side elevation of the appeal property. Paths along the side of both houses provide a significant gap between them.
4. The proposal includes a 2 storey rear extension which would increase the living room and dining area on the ground floor and provide an additional ensuite bedroom on the first floor. A first floor window is proposed on the side of the house to serve an existing bedroom which would lose its rear facing window. The Council is concerned that this window would enable views into a bedroom window on the side wall of No 24, leading to a loss of privacy, and that the extension would reduce light to, and have an overbearing impact when viewed from, the other side windows on the ground floor of No 24.
5. I note that the proposed rear extension would be closer to the boundary with No 24 than the minimum 3 metre distance suggested in the Waverley Borough Council Residential Extensions Supplementary Planning Document (2010) (SPD). Nonetheless, the distance between the side walls of the extension and those of No 24 would exceed 3 metres because of the gaps between the houses and the boundary wall.
6. The ground floor side windows at No 24 face directly onto the side wall of the appeal property. As a result, the outlook from, and light into, these windows is already restricted. However, the room they serve receives most of its light and unrestricted views from a rear window which overlooks the garden and receives sunlight for much of the day because of its southeast orientation. Whilst the proposed extension would reduce the outlook from the side windows, it would not significantly reduce light to, or encroach on views from, the rear window because of its orientation and distance from the boundary with the appeal property.
7. The side wall of No 24 is stepped and its first floor bedroom window is located next to the corner where the wall projects forward of it. This wall would almost completely block views between the proposed new bedroom window on the appeal property and the first floor bedroom at No 24. The proposed development would not therefore lead to significant overlooking between these 2 bedrooms.
8. Overall, I am satisfied that the proposed development would not harm the living conditions of occupiers of No 24 and there would be no conflict with Policy TD1 of the Waverley Borough Local Plan Part 1 (2018), Policies FNP1 and FNP16 of the Farnham Neighbourhood Plan 2020, Policies DM1 and DM5 of the Waverley Borough Local Plan Part 2 (2023) and the objectives of the SPD which seek high quality development which avoids harm to the amenity of occupants of nearby residences.

Conditions

9. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans to provide certainty and imposed a condition regarding materials to safeguard the character and appearance of the area. I have included a condition requiring obscured glass for the ensuite bathroom, as suggested by the Council, which is necessary to prevent overlooking and ensure mutual privacy between occupiers of the appeal

property and No 28. The suggested condition preventing the use of the ground floor flat roofed extension as a balcony or roof garden is not necessary as no access to the roof is proposed.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR