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## Appeal Decision

Site visit made on 3 January 2024

**by J Davis BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 January 2024**

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**Appeal Ref: APP/Y3615/D/23/3329202**

**Oak Tree Corner, Silkmore Lane, West Horsley, Surrey, KT24 6JB**

- 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 Deepak Pathak against the decision of Guildford Borough Council.
  - The application Ref 23/P/01105, dated 27 June 2023, was refused by notice dated 22 August 2023.
  - The development proposed is alteration and extension of a dwelling house, including adding a first floor.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The Council refer to Policy H5 of the Guildford Borough Local Plan: Development Management Policies 2023 (LPDMP) in their refusal reason 1. The Council have subsequently advised that the refusal reason should have referenced Policy H4 rather than Policy H5. As the appellant has already referred to Policy H4 in their statement of case, I am satisfied that the main parties will not be prejudiced by my consideration of this policy.

### Main Issue

3. The main issues are:
  - The effect of the proposal on the character and appearance of the host dwelling and surrounding area, including on the setting of the West Horsley Conservation Area.
  - The effect of the proposal on housing mix within West Horsley.

### Reasons

#### *Character and appearance*

4. The appeal concerns a detached bungalow which is located on a tapering, triangular shaped corner plot, bounded by Silkmore Lane to the west and The Street to the east. The existing bungalow has a low eaves height with a shallow pitched roof over. There is also a single storey flat roof garage to the side of the dwelling.

5. The existing dwelling is sited in the deepest part of the site although it sits relatively close to both the front and rear boundaries, with the main garden area provided on the southern side of the dwelling. Whilst the existing bungalow is highly visible from Silkmore Lane, it is well screened by existing fencing and hedging from the junction of Silkmore Lane and The Street, with the eastern boundary adjacent to The Street also being well screened. There is a mature oak tree at the southern tip of the site which is protected by a Tree Preservation Order.
6. The surrounding area is mixed in character and appearance, comprising of two storey detached dwellings, chalet style dwellings and bungalows of varying age, architectural style, and materials. Plots tend to be well landscaped with grass verges adding to its verdant, semi-rural character.
7. The appeal proposal is for single storey side and rear extensions, together with the addition of a first floor over part of the ground floor footprint and changes to the fenestration.
8. The proposed extensions and other alterations would fundamentally change the appearance of the existing dwelling. In particular, the proposed first floor extension would visually overwhelm the existing bungalow and would result in a full two storey dwelling which would bear little resemblance to the original size, scale and appearance of the existing bungalow. This would be contrary to the guidance contained within the Council's Residential Extensions and Alterations Guide Supplementary Planning Document (2018) (SPD) which states (amongst other things) that extensions should be subordinate to the original dwelling and should respect its original scale and mass.
9. The increase in height of the dwelling to form a full two storey dwelling, together with the significant width of the first floor element, would result in the dwelling appearing cramped in relation to the both the front and rear boundaries of the site. Whilst the garden on the southern side of the dwelling would be retained, the dwelling would nonetheless appear 'squeezed' into its plot to the detriment of the character and appearance of the surrounding area.
10. At present, there is a gradual reduction in the scale of dwellings along the eastern side of Silkmore Lane towards its junction with The Street. The adjacent dwelling 'Cope Cottage' is of a chalet style, with a detached single storey garage on its southern side. There is generous spacing between the two dwellings which, along with their modest combined scale, bulk and height, contribute to the spaciousness of the approach to the junction. This spaciousness is also reflected on the western side of Silkmore Lane. Whilst the dwelling opposite is two storey in height, it is sited at an angle to Silkmore Lane and its garden, together with the adjacent play area, also contribute to this spaciousness.
11. As a consequence of the additional height, bulk and mass, the proposed extensions would result in the dwelling being highly prominent when viewed from Silkmore Lane. This would be further exacerbated by the proposed largely unrelieved very light grey render and prominent porch surround, which due to its width and height would appear at odds with the character and appearance of the dwelling and semi-rural residential character of the surrounding area. Furthermore, the proposal would detract from the spaciousness of this part of Silkmore Lane to the detriment its existing character and appearance. Moreover, the resultant dwelling with its additional height and bulk would also

be more prominent in views from The Street to the east where its close siting to the rear boundary of the site would be apparent.

12. The appellant has referred to an appeal decision at Green Mead, Silkmore Lane. The proposed development at that site also involved the conversion of a bungalow to a two storey dwelling. Whilst I note the similarities in terms of adding a first floor to a single storey property, I observed on my site visit that the siting of Green Mead is somewhat different to that of the appeal property. It is located in a row of more closely spaced dwellings with a two storey dwelling on one side and a chalet style property on the other. Furthermore, that row of dwellings are set further back from Silkmore Lane than the appeal property and as such are less prominent. The relevance of this decision to the appeal proposal is, in my view, limited.
13. The appellant also highlights the two storey dwelling at Yew Tree Corner which is a wide, two storey dwelling that is similarly very visible from Silkmore Lane. However, whilst wide, this dwelling is of more limited scale overall and given its historic interest, adds considerably to the street scene.
14. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Thus, it would conflict with Policy D1 of the Guildford Borough Local Plan: Strategies and Sites 2015-2034 (2019) (LPSS), Policies D4 and H4 of the LPDMP, Policy WH2 of the West Horsley Neighbourhood Plan (2018) (NP) and the SPD. Collectively these policies and guidance require (amongst other things) development to be of a high quality and to reinforce local distinctiveness and to take into account the scale, character, form and proportions of the existing building. It would also conflict with the high quality design objectives set out in the National Planning Policy Framework (2023) (the Framework).

#### *Setting of West Horsley Conservation Area*

15. The appeal site falls outside the West Horsley Conservation Area (CA), the boundary of which is several metres to the south.
16. The CA is centred around the Village Orchard at the junction of The Street and Ripley Lane. It encompasses the core of the village and includes a diverse range of buildings of different ages and constructed from a range of materials. It is the diverse mix of buildings and rural land, together with the abundance of trees, hedges, narrow lanes and verges which contribute to the varied character of the rural village and significance of the CA.
17. Section 16 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
18. The Council's concern is that the proposed development would be highly visible to vehicles and pedestrians travelling North along The Street which is a thoroughfare and would impede views of the mature oak tree which they consider to be a focal point within the setting of the CA.
19. I agree that the oak tree is an important focal point in the views to the north of the CA and accordingly, that it contributes to its setting. The existing building,

with its low profile is barely visible when viewed from the CA to the south. The proposed first floor extension would increase the prominence of the dwelling however, it would remain approximately 21m from the oak tree. Given this distance, together with the hipped roof design of the dwelling and hedging around the tree along the southern boundary, I am not convinced that the proposal would significantly impede on views of the oak tree or negatively impact on views through the site. Consequently, I find the significance of the CA would be unaffected by the proposed development.

20. I therefore conclude that the setting of the CA would not be harmed by the appeal proposal. Thus, it would not conflict with the heritage aims of Policy D3 of the LPSS, Policy D20 of the LPDMP, Policy WH1 of the NP and the Framework.

#### *Housing Mix*

21. Policy WH4 of the NP concerns housing mix and states that where planning permission is required, proposals to extend or improve an existing two or three bedroom house that will result in additional bedrooms will be resisted.
22. The appellant states that the Council has applied this policy inconsistently and has provided examples where extensions involving additional bedrooms to dwellings in West Horsley have been approved. I do not however have the precise details of these applications but accept the point being made. I also accept that the policy is difficult to enforce as the future use of rooms within a dwelling are not subject to planning control.
23. In the case of the appeal proposal, the proposed extension would result in a significant increase in floor area, with a total of 4no. bedrooms shown on the first floor layout. The ground floor of the dwelling would also provide a number of smaller rooms which could potentially be used for a variety of purposes such as a study, music room and gym as denoted on the drawings. Given the overall amount of accommodation proposed to be provided within the dwelling, I consider that there is a reasonable likelihood of the proposal resulting in a four bedroom dwelling which would be contrary to the aims and objectives of Policy WH4.
24. I am also mindful that in the absence of any evidence to the contrary, there would appear to be little scope to convert floorspace within the existing bungalow to an additional bedroom. I also note the comments regarding the possibility of the existing bungalow being extended under permitted development rights but I have no precise information or scheme before me to demonstrate this to be the case.
25. This leads me to conclude that the proposal would have a harmful effect on the housing mix within West Horsley and accordingly, I find that it would be contrary to Policy WH4 of the NP.

#### **Conclusion**

26. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*J Davis*

INSPECTOR