



Appeal Decision

Site visit made on 24 January 2024

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/Y3615/W/23/3325901

167 Worplesdon Road, Guildford, Surrey GU2 9XD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Dr Vijay Vendra Prakash against Guildford Borough Council.
 - The application Ref 23/P/00731, is dated 28 April 2023.
 - The development proposed is a single-story rear extension with pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear extension with pitched roof at 167 Worplesdon Road, Guildford, Surrey GU2 9XD, in accordance with the terms of the application, Ref 23/P/00731, dated 28 April 2023.

Procedural Matters and Main Issues

2. Although I have noted the description of development on the application form, in the interests of brevity I have used above the description offered by the Council.
3. The development appeared to have been already constructed when I visited, though for the avoidance of doubt I confirm my assessment has been based on what is shown on the submitted plans.
4. The Council raised no concerns about the scheme, recommending that planning permission be granted. However, having regard to the submissions before me, including the previous refusal for similar works, I consider the main issue in this case to be the effect of the scheme on the living conditions of residents at 165 and 169 Worplesdon Road.

Reasons

5. No 165 has a large window at ground floor level next to the shared boundary with No 167. However, I anticipate that from here views of this single-storey development and its effect on light levels are limited, due to the intervening fence, and because the extension before me is to the north and set back some 1-1.5m from the boundary. Accordingly, whilst the appellant's scheme might well be visible from that neighbouring window, it is not unduly dominant or oppressive, and any effect it has on outlook, daylight or sunlight is not unreasonable.
6. There is a similar window in a rear extension to No 165, but this is well away from the boundary and set further back, so the appellant's scheme could only be seen obliquely from there. This neighbouring house has another window at

first floor level in its end gable, but again this is away from the boundary and would offer views that would be mainly over the extension. As a result, the outlook or light enjoyed in these rooms would not be unduly harmed.

7. A window is in the side elevation of the appellant's extension, but from there the boundary fence substantially impedes views towards the ground floor rear rooms and garden of No 165. The top of that neighbour's first floor rear window could be seen, but that does not allow any meaningful view into that room. There is therefore no undue loss of privacy.
8. Turning to the effect on No 169, the development is away from the boundary, and there is an intervening pitched roof garage. Therefore, the works would not have an oppressive or dominant effect on that property or take away daylight or sunlight. There is a window in the utility room that faces towards No 169. However, a gate and a drive are in between, while there is also a further window in the appellant's property that is not subject of this appeal but which has a far more direct relationship with that neighbouring house. The scheme therefore does not exacerbate any loss of privacy experienced by those residents.
9. Accordingly, I conclude that the scheme does not detract unreasonably from the living conditions at 165 and 169 Worplesdon Road, and so does not conflict with Policies H4 and D5 in the *Guildford Borough Council: Development Management Policies*, which together seek development that does not have an unacceptable effect on the amenity of existing residents.

Other Matters

10. I consider the development's design adequately reflects that of the dwelling, and given the diversity of rear additions in the area, is not incongruous.

Conditions

11. The Council suggested conditions concerning the commencement of the development, the use of matching materials and the need for compliance with the plans. However, as it appears the development has been completed I consider none of those to be necessary.

Conclusion

12. I conclude that the appeal should be allowed.

JP Sargent

INSPECTOR