

# Appeal Decision

Site visit made on 22 March 2024

**by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI Friar MCIL**

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

**Decision date: 25 April 2024**

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**Appeal Reference: APP/R3650/D/23/3328118**

**5 Larkfield Road, Farnham, Surrey GU9 7DB**

- 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. and Mrs. Prince against the decision of Waverley Borough Council.
  - The application (reference WA/2023/00404, dated 17 February 2023) was refused by notice dated 25 July 2023.
  - The development proposed is described in the application form as a "Single storey rear extension, garage conversion, rear timber deck and alterations - Resubmission of WA/2022/03009 with 3m timber deck and screening".
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## Decision

1. The appeal is dismissed.

## Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance, loss of light or intrusion on privacy).

## Reasons

3. Larkfield Road is an unmade road at the southern edge of Farnham, serving a number of residential properties. These vary considerably in style and size but they create a pleasant suburban environment.
4. Number 5 Larkfield Road is a detached two-storey house that has recently been renovated and extended in a more contemporary style, presenting a gable to the road with walls that are partly rendered and painted off-white and partly clad in off-white horizontal boarding. It stands between numbers 3 and 7 Larkfield Lane. The house is set close to its eastern boundary with number 3 and this boundary is largely defined by a close boarded fence. By contrast, there is a significant space between the house and its western side boundary (with number 7). A band of mature shrubs and trees is located along this boundary, within the appeal site.

5. The land slopes away from the road and the back gardens of both the appeal site and its neighbours are well below the ground floor levels of the buildings. The gardens are of a good size, with an established hedge along the rear boundaries that separate them from Crondall Lane, leading out of Farnham, at an even lower level.
6. A scheme of alterations and extensions at number 5 has previously been granted planning permission and the development has been largely completed. An external deck has been built, however, larger than that which was approved.
7. A new planning application has been made, to include the new larger deck. The application includes a proposed screen, between the appeal site and its neighbour at number 3, to the east.
8. Nevertheless, the planning application drawing shows an even larger deck than that which has been built, extending beyond the side elevation of the house, into the space between the house and its side boundary with number 7. In addition, the application drawing shows a stair at the side of this extended deck. I am conscious that the appeal is to be determined on the basis of the application drawings, as has been pointed out to the Appellants.
9. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed and beautiful places" in the broadest sense, while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
10. An emphasis on the importance of encouraging good design and protecting residential amenities is also to be found in the Development Plan. Various policies are intended to promote good design in general, while the Development Plan incorporates specific Policies that are aimed at protecting residential amenities. These include Policy TD1 of the 'Waverley Borough Local Plan Part 1: Strategic Policies and Sites' (dated February 2018), Policies DM1, DM4 and DM5 of the 'Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies' (dated March 2023) and Policies FNP1 and FNP16 of the 'Farnham Neighbourhood Plan 2013-2032' (dated January 2020).
11. The Council's 'Residential Extensions Supplementary Planning Document' (dated October 2010) is also relevant but it does not have the force of the statutory Development Plan.
12. The new rear decking is at a similar level to an existing rear terrace at number 3 and each overlooks the other's garden at present, as a result of the closeness of the two dwellings and the slope of the land. This intrusion on privacy could be overcome, however, by the introduction of a screen in association with the new decking at number 5, as now proposed. This would be a clear benefit to the enjoyment of both properties.
13. Although the two houses do not align, the visual impact of the new screen would not be unduly overbearing or intrusive, bearing in mind the existing configuration of the two properties at the mutual boundary. It would not cause any significant loss of light at number 3.

14. In relation to the side boundary with number 7, the deck at the rear of number 5 extends across the width of the rear elevation but the submitted plan shows a proposed wider balcony, with a stair at the side of the access deck that would further encroach into the space between the house and its western boundary. It would be significantly higher than the back garden at number 7 and would have a dominating impact. The reduction in the width of this space could well encourage a reduction in the existing trees and shrubs (on the appeal site) that currently acts as a screen between the properties.
15. I am convinced that this extra width, including the width of the side stair, would make the finished deck unduly intrusive in relation to number 7 Larkfield Road. Moreover, it would greatly exacerbate the likelihood of the neighbouring garden being overlooked, creating an unacceptable intrusion on privacy. I am convinced, therefore, that this aspect of the scheme brings the proposals into conflict with both local and national planning policies (including the Development Plan) and that it should not be permitted in the form that is shown on the submitted drawing.
16. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the deck provides a useful exterior space at the level of the ground floor of the existing house. With the construction of the proposed screen, the deck would not harm neighbours' amenities at number 3.
17. On the other hand, the deck and stair would have an unacceptable impact on the amenities of residents at number 7, if they were to be constructed as shown on the application drawing. Hence, I have concluded that the project would conflict with national and local planning policies (including the Development Plan) that are intended to achieve high standards of design and to protect residential amenities and I am convinced that the appeal must fail in consequence. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
18. In reaching these conclusions, I have considered whether the appeal could be allowed but subject to conditions that might overcome the concern that I have identified. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to deal with the objection and that therefore the appeal must be dismissed.

*Roger C. Shrimplin*

INSPECTOR