



Appeal Decision

Site visit made on 22 May 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2024

Appeal Ref: APP/D3640/D/24/3338819

9 The Spinney, Camberley GU15 1HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Elliot Geal against the decision of Surrey Heath Borough Council.
 - The application Ref is 23/1054/FFU.
 - The development proposed is a double storey side and rear extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Council has focussed its reasons for refusal on the first-floor element of the proposed side extension. I see no reason to widen my assessment beyond that. The main issues, therefore, are the effect of the first floor of the proposed side extension on:
 - the living conditions of neighbouring occupiers of 7 The Spinney with particular regard to outlook, and;
 - the character and appearance of the appeal property and surrounding area.

Reasons

Living Conditions

3. No 9 The Spinney (No 9) is a part single-storey, part two-storey property positioned significantly further back from the highway than its single-storey neighbour, 7 The Spinney (No 7). Most of the two-storey element of No 9 is positioned behind the line of the main rear elevation of No 7.
4. I saw during my site visit that No 7 has a rear garden patio leading to an open lawn. Given the south-facing aspect of the property and the presence of glazed doors in the rear elevation, I consider the rear patio and adjacent garden space is likely to be a well-used and highly valued amenity space, and particularly sensitive to nearby development, therefore.
5. The proposal would introduce a new two-storey element to the side of No 9, terminating in close proximity to the boundary with No 7. It would, in the main, be located beyond the main rear building line of No 7 and present a gable end wall towards the boundary.

6. The proximity of the extension to the boundary coupled with its height would result in a highly obtrusive development that would create a new, significant, and harmful sense of enclosure for occupiers of No 7, dominating the outlook from that property, particularly when experienced from the rear patio area. The gable end design would exacerbate this effect, continuing the face of the flank wall right up to the apex of the roof. This would replace the existing single-storey development adjacent to the boundary, significantly eroding the current sense of openness in that location.
7. For these reasons, I conclude that the proposal, with particular reference to the side extension at first floor level, would harm the living conditions of occupiers of 7 The Spinney in respect of outlook. As such, it would be contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 (the Core Strategy), and principles 8.2 and 10.1 of the Residential Design Guide Supplementary Planning Document 2017 (the SPD), where they require that development respects the amenities of neighbouring properties, as well as to the similar aims of paragraph 135 of the National Planning Policy Framework (the Framework).

Character and appearance

8. The Spinney is a residential street in which a notable slope combines with mature greenery to screen many of the houses from full view. When moving around the street, a mix of detached and link-detached homes on spacious plots, set back from the highway to varying extents, are revealed.
9. The appeal property is similar in appearance to several of the homes alongside it on the southern, higher section of the street, but overall there is little uniformity to the properties in the Spinney. In a manner which reads as being both intentional to its original design and the consequence of subsequent development, the local area is characterised more by the distinct individuality of its homes than by their consistency.
10. The first floor of the proposed side extension would be readily distinguishable from, and subservient to, the existing dwelling when viewed from the highway due to being set down from the ridge and stepped back from the main front elevation. The general design is consistent with the form, scale, style and materials of the existing dwelling. In that respect I see no conflict with the aims of Policy DM9 of the Core Strategy, as expanded upon in principle 10.3 of the SPD.
11. Whilst the proposal would occupy much of the space between the existing appeal dwelling and the boundary, the neighbouring property at No 7 is single storey with an expanse of low, flat roof in that area. As a result, and notwithstanding my earlier concerns regarding outlook, I consider that sufficient space would be left between and around the buildings at first floor level to maintain the open, verdant character of the area, and that the proposals would respect and enhance the character of the local area in that respect.
12. For these reasons, I conclude that the proposed extension would not harm the character and appearance of the existing building and surrounding area. As such, it would comply with Policies DM9 of the Core Strategy, principles 7.8, 10.1 and 10.3 of the SPD, guiding principles HE1(a) and HE2 of the Western

Urban Area Character Supplementary Planning Document 2012, and with the Framework, which seek to ensure good design.

Other Matters

13. I appreciate that the appeal proposals comprise revised plans following earlier applications, but I must form my view on the merits of the appeal proposal in isolation.
14. The appellant has drawn my attention to several nearby developments which they consider comparable to the appeal proposals. I have not been provided with enough evidence of the effect of each on neighbouring outlook to compare them to the appeal proposals in that respect, but have considered them as part of my assessment of the character and appearance of the host dwelling and local area.

Conclusion

15. I am satisfied that the development, with particular regard to the first-floor element of the proposed side extension, would not detract from the character and appearance of the host dwelling or the local area. However, this would not overcome my concerns in terms of its effect on neighbouring living conditions.
16. I conclude that the proposal, as assessed, conflicts with the development plan as a whole and there are no material considerations that indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

A Knight

INSPECTOR