



Appeal Decision

Site visit made on 29 May 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2024

Appeal Ref: APP/Y3615/D/24/3338971

8 Ivor Close, Guildford, GU1 2ET

- 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 Kieran O'Flynn against the decision of Guildford Borough Council.
 - The application Ref is 23/P/01926.
 - The development proposed is single storey side extension with mezzanine following demolition of detached garage.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey side extension with mezzanine following demolition of detached garage at 8 Ivor Close, Guildford, GU1 2ET in accordance with the terms of the application, Ref 23/P/01926, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos RK0/23/23, RK0/23/28, RK0/23/29, RK0/23/30, RK0/23/31, RK0/23/34, RK0/23/35 and RK0/23/36.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.
 - 4) No site clearance, preparatory work or development shall take place until the tree protection fencing detailed in Appendix 2 of the submitted Arboricultural Report dated 31st October 2023, has been erected in accordance with Drawing No TPP-AR5322.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 1 Glade Mews, with particular reference to outlook, daylight and sunlight.

Reasons

3. The appeal site contains a large, detached property in a spacious plot. Its northeastern boundary is shared with 1 Glade Mews and an area of undeveloped land to the rear of 1 Aldersey Road. 1 Glade Mews shares a small section of the end of its side boundary, and its rear boundary, with the appeal site. A close boarded fence forms the side boundary of 1 Glade Mews whilst the rear boundary is lined by a row of trees and vegetation. The ground slopes down from the appeal site towards the properties on Glade Mews.

4. The gable end of the extension would face the undeveloped land to the rear of 1 Aldersey Road. Due to its position, the vegetative screening and the separation distances, it would not be overbearing when viewed from 1 Glade Mews, despite its position at a higher level.
5. The eaves of the proposed extension would abut the side boundary of 1 Glade Mews. However, the eaves height is comparable to the height of the existing garage and the roof of the extension will slope away from the side boundary, thus reducing its impact. Given the design and position of the proposed extension, it would not significantly impinge on the enjoyment of the garden of 1 Glade Mews nor appear imposing to the other properties on Glade Mews.
6. Reference is made to the development impacting sunlight and daylight at the properties on Glade Mews. Given the orientation of the property and the position of the extension, it is not considered that the development will unacceptably affect the amount of natural daylight or sunlight received by the occupants of Glade Mews. The proposal is set down from the main house to the northeast and is unlikely to have a greater effect on sunlight than the existing property. The effect of the proposal on daylight is also mitigated by the shade cast by existing vegetation and the distance to the rear elevation of 1 Glade Mews.
7. For the reasons identified above, I conclude that the proposed development would have an acceptable effect on the living conditions of the occupiers of 1 Glade Mews with reference to outlook, daylight and sunlight. As such it would not conflict with policy H4 of the Guildford Borough Local Plan Development Management Policies, the Residential Extensions and Alteration Supplementary Planning Document or the Framework.

Other Matters

8. Concerns have been raised about the impact of the proposed development on nearby protected trees. The evidence before me indicates that the development would not impinge upon the root protection area of the tree. The council have confirmed that the Tree Officer has no objections, provided a condition is imposed to prevent development commencing prior to tree protection measures being erected.
9. I have considered concerns of residents about flood risk, but there is no evidence before me supporting those concerns and the evidence does not indicate that the appeal site is located in an area at risk of flooding.

Conditions

10. In addition to the standard time condition, it is necessary for a condition to list the approved plans in the interest of certainty. A condition requiring matching materials is required to ensure the proposal harmonises with the host property, and a condition requiring compliance with the submitted Arboricultural Method statement (AMS) is required to safeguard the protected trees on site.

Conclusion

11. For the reasons given above the appeal should be allowed.

V Goldberg

INSPECTOR