



Appeal Decision

Site visit made on 11 February 2025

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 10 March 2025

Appeal Ref: APP/A3655/D/24/3347902

Tregaron, Grange Drive, Horsell, Woking, Surrey, GU21 4BU.

- 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 and Mrs J. Sole against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0208.
 - The development proposed is the erection of two storey and single storey front, side and rear extensions with games room in roof space following demolition of existing garage store and conservatory.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposed development on the living conditions of neighbouring residential occupiers in terms of its potential to appear overbearing and result in a level of overlooking to cause a loss of privacy.

Reasons

3. Tregaron is a detached two-storey dwelling. It is a relatively simple, mid 20 century traditional style dwelling with a gable roof. There is an attached small flat roof store and detached flat roof garage. The dwelling has been extended to the rear by the construction of a single storey conservatory.
4. It is located in Grange Close, a cul-de-sac of four detached dwellings of similar age and style. The area is generally of a spacious landscaped character. Due to the shape of the plot the house is sited towards the northern end of the garden, close to the southern boundary of the Well House and relatively close to its southwestern boundary to Little Garth. The principal private space being at the southern end of the garden.
5. The appellant proposes, following removal of the existing garage, store and conservatory a part two-storey, part single storey rear extension, two-storey side extension, an attached double garage and a two-storey front porch. It is intended to replace the gable roof with a hipped roof, the ridge of the new main roof to be marginally higher than the existing.

6. In respect of Amberwood the Council consider that the proposed development would, providing the first-floor secondary bedroom window and second floor rooflight to the games room were obscured glazed with restricted opening there would be no harm to the living conditions of the neighbouring occupiers. From what I have seen and read I would not disagree with its findings on this matter.
7. Woking Borough Council Local Development Documents-*Amenity, Privacy and Daylight-Supplementary Planning Document SPD* (Adopted February 2022) (SPD) recommends a minimum separation distance between two-storey dwellings of 20.0 metres to prevent overlooking and a loss of privacy.
8. The rear elevation of the existing dwelling currently has a relatively close relationship with the neighbouring dwelling to the west, Little Garth of about 14.5 to 17.0 metres or so. The proposed development would result in the separation distance being reduced to about 14.0 metres at the most. In addition, the house as extended would be taller and overall, more bulky than the existing property. On balance I therefore consider that house as extended would for these reasons appear visually overbearing to the occupiers of Little Garth.
9. In addition, the design incorporates two wide bedroom windows, one dressing room, one bathroom and one shower room window at first floor level in new rear elevation. Two roof lights are also proposed in the rear roof slope serving the second-floor games rooms. The cill height, opening and glazing of the roof lights to the games rooms could be controlled by condition to avoid perceived and/or actual overlooking. The glazing and opening of the dressing room, bathroom and shower room windows could also be conditioned, to protect residential amenity.
10. However, the glazing and opening of the two first floor bedroom windows, which in any case more directly overlook Little Garth, could not be so controlled, as these serve habitable rooms. Accordingly, given the separation distance to the rear wall of Little Garth the new bedroom windows would lead to a degree of overlooking and thereby a loss of privacy for the neighbouring occupiers.
11. There is an existing mature and very tall dense hedge along a substantial section of the boundary to Little Garth. Although this would provide screening that would overcome concerns of harm to the living conditions of the occupiers of Little Garth, in terms of overlooking and loss of privacy, there is no guarantee that this hedge would remain in perpetuity.
12. I therefore conclude that the proposed development would cause significant harm to the living conditions of the neighbouring occupiers in respect of overlooking leading to a loss of privacy.
13. Although at an acute angle Tregaron faces towards the Well House. Given the limited separation distance between the two properties there is the potential for some overlooking leading to a loss of privacy from the proposed first-floor windows in the front elevation of the side extension and two-storey high porch as well as the second-floor window of the games room.
14. The first-floor window proposed to the two-storey porch addition would be positioned over a two-storey void down to ground floor level, with the landing

area set well back from the window. Accordingly, I do not consider therefore that it would result in any harmful actual or perceived overlooking.

15. The first-floor window closest to the Well House would serve a family bathroom. Accordingly, it could be obscure glazed with restricted opening. Given its distance to the boundary of the Well House, I do not believe in this case this window would result in a perceived sense of overlooking.
16. The second-floor roof light is shown to be positioned relatively high in slope of the roof. It would therefore not be unreasonable to condition the cill height of this window to avoid any potential for overlooking leading to a loss of privacy.
17. Given the distance between the proposed two-storey extension and the Well House the development would fail to meet the guidance set out in the SPG in respect of separation distances. Nevertheless, I do not consider that it would appear so visually overbearing as to cause harm to the living conditions of the occupiers of this dwelling.
18. I conclude in respect of the main issue that the proposed development would be neither so visually overbearing nor, subject to conditions, cause such significant harm due to overlooking as to cause harm to the living conditions to the occupiers of either the Well House or Amberwood. However, it would have significant detrimental overbearing affect, and due to overlooking a loss of privacy for the occupiers of Little Garth. I find these to be a compelling objections.
19. To allow the development would therefore be contrary to the aims of Policy CS21 of the Woking Local Development Document-*Woking Core Strategy* (Adopted October 2012), Woking Borough Council Local Development Documents-*Amenity, Privacy and Daylight-Supplementary Planning Document SPD* (Adopted February 2022) and the Woking Design SPD (Adopted February 2015) and the National Planning Policy Framework as they relate, together with other things, to the protection of residential living conditions.

Conclusions

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

Philip Willmer

INSPECTOR