



Appeal Decision

Site visit made on 29 April 2025

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd May 2025

Appeal Ref: APP/D3640/D/25/3361556

49 Newfoundland Road, Deepcut, Camberley, Surrey, GU16 6SY

- 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 Glen Mather against the decision of Surrey Heath Borough Council.
 - The application Ref is 24/1007/FFU.
 - The development proposed is the conversion of garage into a detached annex and erection of extension to provide garden room/ bar and alterations to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of garage into a detached annex and erection of extension to provide garden room/bar and alterations to fenestration, at 49 Newfoundland Road, Deepcut, Camberley, Surrey, GU16 6SY, in accordance with the terms of the application Ref 24/1007/FFU and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Main Issues

2. The main issues are
 - The effect on the character and appearance of the area;
 - The resultant living conditions for the intended occupiers; and
 - Whether the annexe would be reasonably ancillary to the main dwelling on site.

Reasons

Background

3. The appeal site comprises a large detached house which lies at the end of a short cul-de-sac of four properties in a relatively new large residential development. The house has a detached double garage to the eastern side with a parking area to the front of it. It is proposed to convert the garage to a single bedroom annex and erect a garden room/bar with covered seating area to the side of it. The officer report explains that a condition imposed on the planning permission for the original development takes away 'permitted development' rights for the conversion of a garage space to residential use.
4. As part of the appeal the appellant sets out personal circumstances where the annex would be occupied by an elderly family member, who needs both

independence and support, and thereafter by a younger person in the family also in need of similar accommodation for their particular needs.

Effect on character and appearance

5. In assessing this issue I have had regard to the informal guidance set out in the Supplementary Planning Document (SPD) – ‘Deepcut’ and the Council’s Residential Design Guide (RDG) SPD.
6. The external changes proposed to the garage would be very limited and hardly have a visual impact outside of the site. The garage doors would be replaced with separate domestic windows but as the garage is set back from the frontage this change would not be prominent in the street scene.
7. The proposal indicates that the existing tarmacked parking area could be used to accommodate four cars but the layout suggested would not work in practical terms. However, given that the proposal is for an ancillary annex this degree of parking is unlikely to be necessary. Moreover as the site lies at the end of a block surfaced cul-de-sac, tandem front-on parking is unlikely to have an effect on highway safety or make the setting of the property less attractive. I am therefore satisfied that the site can accommodate sufficient parking for the ancillary use proposed and the existing dwelling.
8. In terms of the new building work at the rear of the garage, this would maintain the pitched roof form of the existing building. The extension would be away from the public realm of the street scene and run partly alongside the garage of the neighbouring property. There would still be a large useable garden area available for the occupiers of the property. In this context the degree of additional built form proposed would not be inconsistent with the established character of the area.
9. Overall I find that in physical and visual terms, the proposed conversion and limited extension would not be at odds with the established pattern of development taking account of the property’s location on the edge of the present developed area. There is no conflict with Core Strategy and Development Management Policies Document Policy DM9 in terms of respecting local character, Policy DM11 for highway safety, or the principles set out in parts 6.7 6.8 10.1 or 10.4 of the RDG SPD.

Effect on living conditions

10. The Council submits that the occupiers of the annexe accommodation would have a poor residential environment because the outlook from the kitchen and bedroom windows would be towards the parking area which would be close by. However the proposed kitchen forms part of a larger single space with the living room which would have a separate window and bi-fold patio doors facing towards the garden and seating area. On this basis the overall space is likely to feel light and relatively spacious. While the outlook from the bedroom is not likely to be suitable for a use as an independent dwelling, the restrictions on the space also have to take account that the ancillary residential annex would be used in conjunction with the main property. On this basis I am satisfied that the specified occupier(s) of the annex would not feel that the outlook would be overbearing or visually intrusive. As an ancillary annex the proposal is not in conflict with principle 8.2 of the RDG SPD.

Whether the annex is reasonably ancillary

11. The Council submits that insufficient justification has been submitted to establish that the annex would be reasonably ancillary to the main dwelling in size and function. The appellant has set out the personal circumstances why the members of the family need annex accommodation for independent living while requiring on-going and increasing support and overseeing. I have no reason to doubt the personal circumstances put forward.
12. Although the garage to be converted would be physically separate from the main house, the entrance to the annexe would be from the main rear garden. Moreover the proposed open seating area for the annex would not be separated from main garden. This part of the proposal does not facilitate completely independent use.
13. The Council recommends two conditions to ensure that the annex is only used as ancillary accommodation to the existing dwelling and is not occupied independently, together with a condition ensuring that there is no subdivision of the rear garden of the main property into a separate curtilage. These conditions provide proper and adequate safeguards to ensure that the overall property remains as a single dwellinghouse in the interests of maintaining the character of the area.

Planning balance

14. I have found that the proposed conversion and small extension would be consistent with the character and appearance of the area and would not harm these aspects. As an annex to the main dwelling, the accommodation, taken as a whole, would be reasonable for the occupiers, given the wider family benefits of having support and supervision close-by. Finally, the continued use as an annex in the long term can be ensured by the imposition of the conditions recommended by the Council.
15. Overall the proposal accords with rather than conflicts with the relevant policies in the development plan as set out above. This accord is not outweighed by any other consideration which indicates that the appeal should be allowed.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR

Schedule of Conditions

1. The development hereby approved shall not be otherwise occupied other than as ancillary accommodation to the existing dwelling known as 49 Newfoundland Road, Deepcut, GU16 6SY and shall not be occupied independently from the main dwelling house, or separated from the main dwelling house. At no time shall the annexe be sold, sub-let or rented independently to the occupation of 49 Newfoundland Road.

2. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no fence, wall, or other means of enclosure shall be erected in the rear garden of 49 Newfoundland Road that would result in the creation of a separate curtilage to the building hereby approved.