



Appeal Decision

Site visit made on 10 July 2025

by **D Cramond BSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 July 2025

Appeal Ref: APP/D3640/D/25/3366880

81 Ambleside Road, Lightwater, Surrey, GU18 5UH

- 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 Amanda Gelleburn against the decision of Surrey Heath Borough Council.
 - The application Reference is 25/0275/FFU.
 - The development proposed is the construction of a rear patio.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a rear patio at 81 Ambleside Road, Lightwater, Surrey, GU18 5UH in accordance with the terms of the application, Ref 25/0275/FFU, subject to the following conditions:
 1. The development hereby permitted shall be implemented in accordance with the following plans: Site Location Plan, FL 2181-1 Rev B & FL 2181-2.
 2. Within 3 months from the date of this permission, close boarded fence screening (or such other screening as may be first agreed in writing by the local planning authority) shall be erected to a height of 1.8 metres along the full two sides of the patio above the finished level of the patio. This revised screening be retained for the lifetime of the development.

Preliminary Matter

2. The development has been largely completed; this does not alter my approach to determining the merits of the proposal.

Main Issue

3. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

4. The appeal property is a detached chalet bungalow with a generous south east facing rectangular rear garden. The locality is of established residential character and the variety of homes and gardens lead to an area of pleasing suburban appearance. The proposal is as described above.
 5. The Council has concerns relating to privacy and amenity loss for both neighbouring properties given raised levels, depth and proximity of the patio. This echoes the concerns of the nearest neighbours.
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6. All rear gardens in this stretch of properties have ground levels which drop away from the dwellings and in general terms properties and, often, their immediate outside space do step above the main garden areas. The question is whether the Appellant has created an outside area of excessive height and scale. From my perspective the appeal proposal would not, in area terms, be out of kilter with a property of this nature and the drop down to the garden is fairly modest in my opinion. Long, oblique views, to parts of neighbouring gardens can be seen from the patio with partial screening by vegetation. However, in a suburban situation there will almost always be some inter-visibility of parts of rear gardens whether that be via external looking or through windows. I would deem these diagonal views to be not out of the ordinary.
7. Views to both immediate sides are filtered by existing vegetation and/or fences and/or adjoining BBQ enclosure. However, they are possible to a degree, and it is understandable that concerns are raised when, in certain circumstances the most private parts of gardens abutting rear elevations, can be viewed. I am aware that vegetation is planned, growing and may secure full privacy but more defined screening is called for to offer peace of mind and privacy to neighbours. Both the Council and the Appellant indicate such an arrangement could be made a planning condition. At times screening such as fencing can create its own problems of, e.g. undue dominance, but I am satisfied that disposition would mean this would not happen here. Therefore, in all the circumstances I am satisfied that, with a suitable planning condition, this appeal should be allowed. A good quality environment for neighbouring residents will continue to prevail.
8. Policy DM9 of the Core Strategy and Development Management Policies DPD 2012 and Policy DH1 of the Emerging Surrey Heath Local Plan (2019 - 2038) are pertinent. Amongst other matters they underline that development should not have an unacceptable impact on neighbouring residential amenities. Whilst I appreciate the concerns raised by the Council and neighbours, I do conclude that there would not be conflict with this policy. In my opinion the appeal scheme would also not run contrary to the relevant objectives and principles of the Council's Residential Design Guide Supplementary Planning Document 2017 albeit this cannot be expected to cover every eventuality in detail.

Conditions

9. The Council suggests a condition that works align accordance with listed, approved, plans; I agree with this, to provide certainty. I also agree that relevant screening should be erected within a short period of time and retained in the interests of residential amenity. There is no need for a general commencement condition as works are largely completed.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have an unacceptable effect on living conditions for neighbours. Accordingly, the appeal is allowed.

D Cramond
INSPECTOR