



RUNNYMEDE BOROUGH COUNCIL

PLANNING COMMITTEE

27 OCTOBER 2004

APPENDICES

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Runnymede Borough CouncilPLANNING COMMITTEEAPPENDIX 'A'29 September 2004 at 7.30 p.m.

Members of the Committee present: Councillors G.B. Woodger (Chairman), Mrs. F.M. Angell (Vice-Chairman), J.R. Ashmore, Mrs. F.J. Barden, J. Broadhead, J.B. Dean, J.M. Edwards, C. Knight, H.W.V. Meares, Mrs. J. Norman, D.W. Parr, R. Pate, B.J. Relph, A.P. Tollett and J.R. Whiteley

Members of the Committee absent: None

236. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive Officer of their wish that the changes listed below be made to the membership of the Committee. The changes were for a fixed period ending on the day after the meeting and thereafter the Councillors removed would be reappointed.

Group requesting Change	Remove from Membership	Appoint Instead
Conservative	Councillor J.R. Furey	Councillor J.M. Edwards
Conservative	Councillor N. Thewlis	Councillor C. Knight

The Chief Executive Officer had given effect to these wishes in accordance with Section 16(2) of the Local Government and Housing Act 1989.

237. MINUTES

The Minutes of the meeting of the Committee held on 1 September 2004 were approved and signed as a correct record.

238. DECLARATIONS OF INTEREST

The following interests were made under the Runnymede Code of Conduct for Members by the Councillors shown.

Councillor	Item	Nature of Interest
Mrs. F. M. Angell	Broomhayes, Bakeham Lane, Englefield Green (RU.04/0898)	Personal and prejudicial - Personal friendship with objector.
	Rosefield, Hurst Lane, Egham (RU.03/1245)	Personal and prejudicial - Business dealings with objector.
G. B. Woodger	Broomhayes, Bakeham Lane, Englefield Green (RU.04/0898)	Personal and prejudicial - Personal friendship with objector.
H.W.V. Meares	Broomhayes, Bakeham Lane, Englefield Green (RU.04/0898)	Personal and prejudicial - Business interest in site.

As both the Chairman and Vice Chairman had to withdraw from the room for the consideration of application RU.04/0898, Councillor Mrs. Norman was elected to chair the meeting for this application only.

239. PLANNING APPLICATIONS

The planning applications listed below were considered by the Committee. All representations received on the applications were reported and copies were made available for inspection by Members before the meeting. Members of the public and/or applicant(s)/agent(s) spoke on those applications identified below.

RESOLVED that -

the following applications be determined as indicated and any permission granted be subject to the conditions authorised.

APP. NO.**LOCATION, PROPOSAL AND DECISION**

RU 03/0443

**Bridge Wharf, Bridge Road, Chertsey
Demolition of existing dwellings and replacement
with 7 two bedroom chalet bungalows**

**DECISION: Following the receipt and consideration
of the views of English Nature and Environment
Agency, the Director of Technical Services be
authorised to GRANT subject to conditions.**

RU 04/0694

**8 - 12 Hamm Moor Lane, Addlestone
Erection of three storey residential development
comprising 4 No. x one bed and 8 No. x two bed flats
with on-site parking for 18 cars following demolition
of Nos. 8, 10 and 12 Hamm Moor Lane.**

**DECISION: Following the completion of a legal
agreement to secure a contribution of £15,000
towards local transportation initiatives which would
include speed reduction initiatives on Weybridge
Road, upgrading cycleways and improving public
transport information and £5,000 towards the
Runnymede Travel Initiative, the Director of
Technical Services be authorised to GRANT
permission following consultation where
appropriate, with the Chairman or in his absence,
the Vice Chairman of the Committee subject to
conditions.**

RU 03/1245

**Rosefield, Hurst Lane, Egham
Certificate of Existing Lawful Use application for the
conversion of detached garage to the rear of the
property into a self-contained dwelling house.**

DECISION:

1. **REFUSE the Certificate of Existing Lawful
Use as the works (external alterations to the
building and change of use of this building to
a self-contained residence) are unlawful
under Section 191 of the Town and Country
Planning Act 1990 because -**
 - a) **the planning unit has a mixed use as a
commercial cattery and dwelling house. It is
not considered that the property enjoys
permitted development rights under
Schedule 2, Part 1, Class E of the Town and
Country Planning (General Permitted
Development) Order 1995;**

- b) The works occurred less than four years ago.
2. The Director of Administration and Leisure be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 requiring that the use of the building for independent residential occupation shall cease and the kitchenette and bathroom and any fixtures and fittings ancillary to the use shall be removed from the building.

Reason for issuing the Enforcement Notice:-

The proposal would provide a self-contained residential dwelling which would be an inappropriate and harmful development within the Green Belt with no very special circumstances to justify the granting of planning permission, contrary to Policies GB1 and GB6 of the Runnymede Borough Local Plan Second Alteration April 2001, Policies PE1 and PE2 of the Surrey Structure Plan 1994, Policies LO4 and LO5 of the Surrey Structure Plan Deposit Draft December 2002 (Proposed Modifications June 2004) and advice contained within Planning Policy Guidance Note 2: 'Green Belts'.

3. The Director of Administration and Leisure be authorised to take appropriate action namely prosecution under Section 187A(9) of the Town and Country Planning Act 1990 in the event that the notice is not complied with.

RU 04/0786

Hayden Court, Pinewood Park, New Haw
Erection of 3 storey building comprising 6 x 1 bedroom flats and demolition of 10 garages and refurbishment of 6 existing garages and store.

DECISION: REFUSE for the following reason:

The proposed development would by reason of its design, height and massing result in a form of development which would be out of character with existing surrounding development and be detrimental to the character of the area, and likely to cause unacceptable levels of overlooking and loss of privacy to number 1 Hayden Court contrary to Policy PE10 of the Surrey Structure Plan 1994, Policies LO2, and SE4 of the Surrey Structure Plan Deposit Draft 2002 (proposed Modifications June 2004) and Policies HO9 and BE2 of the Runnymede Borough Local Plan Second Alteration April 2001 and to advice given within Planning Policy Guidance Note 1: General Policy and Principles (February 1997) Planning Policy Statement 1: Creating Sustainable Communities (Consultation paper February 2004) and Planning Policy Guidance Note 3: Housing (March 2000).

(Mr. Dell, an objector, addressed the Committee on the above application).

RU 04/0802

Brown Gables, 3 Trumps Green Road, Virginia Water Retention of two storey side extension and conservatory to rear (Revision to RU 04/0319).

DECISION: REFUSE for the following reason:

- a) **The two-storey side extension by reason of its width and proximity to the common boundary with no. 5 Trumps Green Road fails to provide adequate separation distances between buildings resulting in a cramped, prominent and incongruous development which is harmful to the established character of the area and the visual amenities of the streetscene resulting in overbearing effects on the residential amenities of no. 5 Trumps Green Road contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft 2002 (Proposed Modifications June 2004) and Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and advice contained in the Council's Supplementary Planning Householder Guide July 2003.**
- b) **The Director of Administration and Leisure be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 requiring that the extension be reduced in size to be rebuilt in accordance with planning permission RU 04/0319.**

Reason for issuing the Enforcement Notice:-

The two-storey side extension by reason of its width and proximity to the common boundary with no. 5 Trumps Green Road fails to provide adequate separation distances between buildings resulting in a cramped, prominent and incongruous development which is harmful to the established character of the area and the visual amenities of the streetscene resulting in overbearing effects on the residential amenities of no. 5 Trumps Green Road contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft 2002 (Proposed Modifications June 2004) and Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and advice contained in the Council's Supplementary Planning Householder Guide July 2003.

- c) **The Director of Administration and Leisure be authorised to take appropriate action namely prosecution under Section 187A(9) of**

the Town and Country Planning Act 1990 in the event that the notice is not complied with.

RU 04/0898

Broomhayes, Bakeham Lane, Englefield Green
Subdivision of site to retain existing dwelling and erect a detached four bedroom dwelling south of the existing dwelling with a shared driveway.

DECISION: GRANT subject to conditions.

RU 04/0911

1 Willow Walk, Englefield Green
Erection of a detached 4 bedroom two-storey dwelling to the side of No. 1 Willow Walk with integral garage and parking and separate amenity space.

DECISION: REFUSE for the following reasons:

1. **The proposed development by reason of its siting, floor area, depth, scale, massing and proximity to common boundaries would represent a cramped form of development resulting in a prominent incongruous building incompatible with its surroundings and detrimental to the character and the visual amenities of the surrounding area contrary to Policy PE10 of the Surrey Structure Plan 1994, Policy SE4 of the Surrey Structure Plan Deposit Draft December 2002 (Proposed Modifications June 2004) and Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration April 2001 and Surrey Design January 2002 and By Design.**
2. **The proposed development by reason of its siting, floor area, depth, bulk and mass, orientation and distance between properties would have overbearing and overshadowing impact detrimental to the living conditions of the neighbouring residential property No. 1 Willow Walk to the east, contrary to Policy HO9 of the Runnymede Borough Local Plan Second Alteration April 2001.**

(Mr. Moore, the applicant, addressed the Committee on the above application).

240. PLANNING APPLICATIONS DETERMINED BY DIRECTOR OF TECHNICAL SERVICES

A list of planning applications recently determined by the Director of Technical Services under his delegated powers was received and noted.

Chairman

(The meeting ended at 8.34 p.m.)

PLANNING APPLICATIONS DETERMINED BY

 DIRECTOR OF TECHNICAL SERVICES

FROM 27TH SEPTEMBER TO 8TH OCTOBER 2004

<u>APP. NO.</u>	<u>LOCATION AND PROPOSAL FOLLOWED BY DECISION</u>
04/0284	Grovers Farm, Woodham Lane, Woodham Erection of agricultural building (repositioning of building approved under application RU.03/0404). DECISION: REFUSE
04/0754	Rose Cottage, Callow Hill, Virginia Water Enlargement of existing loft space by increased roof height and side dormer over existing kitchen, porch canopy over rear door and new front door to dwelling. DECISION: REFUSE
04/0813	Thorpe House, Coldharbour Lane, Egham Repair works to the front façade and parapet gutter and new roof over existing external staircase at the rear. DECISION: GRANT
04/0837	2 Bulkeley Close, Englefield Green Fell 1 No. Oak tree and crown reduction of 2 No. Oak trees by 20% in the rear garden subject to Tree Preservation Order No. 59. DECISION: GRANT
04/0865	137 Brox Road, Ottershaw Erection of 1 No. x 3 bedroom detached house following demolition of garage. (Revision to RU.03/0872) DECISION: GRANT
04/0871	16 The Ridings, Addlestone Felling of 5 Oak trees covered by a Tree Preservation Order. DECISION: GRANT
04/0883	40 Pooley Green Road, Egham Erection of first floor rear extension and construction of two front dormers to allow habitable accommodation in the loft. DECISION: REFUSE

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 04/0917 61 Wheatash Road, Addlestone
Roof alterations, construction of rear dormer and rooflights to front elevation to allow habitable accommodation in roofspace.
DECISION: **REFUSE**
- 04/0919 4 Merrylands, Chertsey
Erection of single storey side and rear extension.
DECISION: **GRANT**
- 04/0921 168 Eastworth Road, Chertsey
Erection of part two storey, part single storey side and rear extension following demolition of existing extensions. (Revised plans received 17/09/2004)
DECISION: **REFUSE**
- 04/0922 Flint House, Oak End Way, Woodham, Addlestone
Pollarding of three Lime trees to the front of the property.
DECISION: **GRANT**
- 04/0925 Stadbury, 36 Hamhaugh Island, Shepperton
Consultation from Spelthorne Borough Council for the erection of two ground floor front extensions and alterations to the roof including the installation of two front dormer additions to create accommodation in the roof space.
DECISION: **NO OBJECTION**
- 04/0926 5 Millpond Court, Addlestone
Reduce crown of Oak tree to rear of property by up to 25%, removal of crossover branches and reduce lower branches of Oak tree.
DECISION: **GRANT**
- 04/0927 4 Orchard Way, Addlestone
Outline application for erection of a bungalow with rooms in the roof to the rear of 4 Orchard Way with attached double garage with vehicular access off Orchard Way.
DECISION: **REFUSE**
- 04/0931 Central Veterinary Laboratory, Woodham Lane, New Haw
Erection of boiler house extension to existing energy centre building 151 (Phase 1B of site development masterplan under permission RU.97/1317) (Circular 18/84 Consultation).
DECISION: **NO OBJECTION**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 04/0934 146 Woodham Lane, New Haw
Erection of first floor side and rear extension.
DECISION: **GRANT**
- 04/0935 8 Oak Tree Drive, Englefield Green
Felling of conifer in front garden protected by Tree Preservation Order 59.
DECISION: **REFUSE**
- 04/0936 Glencourt, Knowle Grove Close, Virginia Water
Insertion of first floor rear dormer window.
DECISION: **GRANT**
- 04/0940 Bankside, Faris Lane, Woodham
Erection of raised roof to form first floor with dormers, single storey rear extension, side bay windows and porch. (Amendment to approved planning permission RU.02/0433, alter rear conservatory to breakfast room.)
DECISION: **GRANT**
- 04/0943 High Trees, 37 Orchard Avenue, Woodham
Erection of rear conservatory.
DECISION: **GRANT**
- 04/0947 2 Garfield Road, Addlestone
Erection of two storey side extension.
DECISION: **GRANT**
- 04/0948 64 Hythe Road, Staines
Erection of single storey rear extension and alterations to fenestration in existing side elevation.
DECISION: **GRANT**
- 04/0949 9 Hollycombe, Englefield Green
Tree works to fell a Yew tree to the side of the property and pollard three Oak trees at the rear protected by a Tree Preservation Order and planning condition.
DECISION: **GRANT**
- 04/0951 PGA European Tour, Wentworth Drive, Virginia Water
Application for advertisement consent for retention of 3 x 8m high flagpoles.
DECISION: **GRANT**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

- 04/0953 1 Connolly Court, Virginia Park, Christchurch Road, Virginia Water
Erection of single storey side extension.
DECISION: **REFUSE**
- 04/0956 78A Wendover Road, Staines
Conversion of existing attached garage into habitable accommodation.
DECISION: **GRANT**
- 04/0966 25 Selsdon Road, New Haw
Erection of single storey front extension, roof alterations with insertion of rear dormer and rooflights to both sides to allow habitable accommodation in roofspace.
DECISION: **GRANT**
- 04/0967 418 Woodham Lane, Woodham
Removal of Acacia tree, reduce crown by 50% and removal of deadwood of Red Oak and remove 3 No. low branches and 3 No. secondary branches of Corsican Pine protected under Tree Preservation Order No. 142.
DECISION: **REFUSE**
- 04/0968 Bankside, Faris Lane, Woodham
Removal of dead Alder and removal of deadwood and lifting of crown to 5 metres of Oak protected by Tree Preservation Order and within Conservation Area.
DECISION: **GRANT**
- 04/0971 5 Oak Tree Drive, Englefield Green
Works to thin Oak tree in side/rear garden and to remove overhanging branch of Oak tree on St. Jude's Road protected by Tree Preservation Order 59.
DECISION: **REFUSE**
- 04/0973 Teal Hatch, Christchurch Road, Virginia Water
Erection of 2/3 storey replacement dwelling following demolition of existing dwelling and extension to existing double garage to create triple garage.
DECISION: **GRANT**
- 04/0982 14 Strode Street, Egham
Conversion of roofspace to habitable accommodation incorporating a rear dormer window and rooflights to front elevation.
DECISION: **GRANT**

APP. NO. LOCATION AND PROPOSAL FOLLOWED BY DECISION

04/0984 Bankside, Faris Lane, Woodham
Removal of fir hedge on north (flank) boundary and fir tree at front of
property.
DECISION: **NO OBJECTION**

04/1036 Hardwick Park Farm, Hardwick Lane, Lyne, Chertsey
Prior approval for two agricultural buildings.
DECISION: **PRIOR APPROVAL NOT REQUIRED**



Appeal Decision

APPENDIX 'C'

Site visit made on 13 September 2004

by David Leeming

inspectorate.gsi.gov.uk

an Advertisement Appeals Inspector appointed by the First Secretary of State

Date 1 OCT 2004

Appeal Ref: APP/Q3630/H/04/1158246

Sainsburys, The Causeway, Staines, Middlesex TW18 3AP

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Clear Channel UK Ltd against the decision of Runnymede Borough Council.
- The application Ref RU.04/0611 is dated 12 May 2004. The advertisements proposed are two 6-sheet display units.

Summary of Decision: The appeal is allowed and express consent is granted for the units on the terms set out below in the Formal decision.

Main Issues

1. The main issues in this appeal are whether the proposed advertisement units would detract from the character and amenity of the store and result in a cluttered appearance.

Reasons

2. The proposal is for the display of one freestanding unit and one wall-mounted unit. The former would be sited in front of the south-eastern end of the gabled ground-floor entrance. The other would be on a wall within the underground car park, adjacent to the lower entrance to the store. Each unit would measure 1.3m by 1.9m and, in the case of the freestanding unit, have an overall height of 2.6m.
3. The freestanding unit would be set alongside a plain section of panelling. The similar area of wall at the other end of the gabled section displays a welcome panel for the store. Although, as a freestanding display, the proposed unit would not provide an exact match at the opposite end, it would, to some extent, have a balancing effect there in relation to this other sign.
4. This part of the store frontage has a modern style and is away from the overhanging canopy roof supported by traditional metal columns. The unit, being modern in design and appearance, would therefore compliment its setting in this respect. Set close to the store, I consider also that it would not stand out obtrusively, even though quite a tall feature.
5. Whilst there are several other signs along the frontage, including a fixed 'Sainsbury's bank' sign at the front of the walkway nearby, I consider that the additional presence of this single unit, in its particular position, would not create an impression of advertisement excess or clutter on the store's main frontage.
6. As to the wall-mounted sign, I note that no objection was raised to this in the Council's reasons for refusal. The Council say, in their statement, that the unit would add to a clutter of signs, given the presence of signs on the forecourt area and those visible behind the

glass-fronted basement entrance. However, the unit would be sited on a plain section of wall, principally to be viewed by drivers on the entrance 'road' to the underground car park. Views from there do not readily encompass the displays within the store, which are, in any event, set well back and seen only obliquely from there. Similarly, with the exception of a fixed "pickup point" sign closer to the store, the other (portable) signs are set back under the overhang on the paved forecourt area. In my view, the display of this single wall unit would not create any impression of clutter together with these other displays.

Planning Policies

7. I have carefully considered the various policies to which the Council refer. However, in the circumstances outlined above, I consider that the two 6-sheet display units are acceptable and that I should permit them. My decision does not mean that similar advertisements displayed in another location would necessarily be acceptable. Each case is decided on its own merits.

Conditions

8. In addition to the standard conditions that apply to all consents, the Council suggest others. One is that the illumination shall be fixed and not appear to be intermittent, moving or flashing. The other is that no variations shall be made to the deposited plans and particulars without further authorisation. However, I have made my decision on the basis that, as with all units of this type, the illumination will be by static means. Any material change to the details submitted would require a fresh application for consent to the Council. I see no need therefore to attach these conditions.

Conclusions

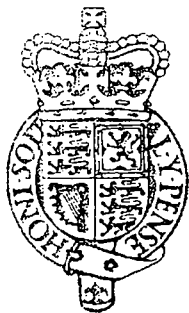
9. For the reasons given above and having regard to all other matters raised, I conclude that the display of the appeal units would not be detrimental to the interests of amenity.

Formal decision

10. I allow the appeal and grant express consent for the display of the internally-illuminated freestanding and wall-mounted units, as applied for, for five years from the date of this decision. This consent is subject to the five standard conditions in the Regulations.



Advertisment Appeals Inspector



Appeal Decision

Site visit made on 16 September 2004

by **David Wildsmith** BSc(Hons) MSc CEng MICE FIHT MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
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APPENDIX 'D'

Appeal Ref: APP/Q3630/A/04/1145059

White Dale, Tite Hill, Egham, Surrey, TW20 0LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr S J Robson against the decision of Runnymede Borough Council.
- The application Ref RU.03/1199, dated 5 September 2003, was refused by notice dated 18 December 2003.
- The application sought planning permission for 'the insertion of velux style rooflights in roof area'. This would be contrary to a condition attached to planning permission Ref RU.02/0806, dated 19 August 2002, for the erection of a 2-storey side extension, a single-storey rear extension and front and rear extensions to the existing double garage.
- The condition in dispute is No. 4 which states that: *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, dormer windows or other openings shall be formed in the extensions including the roof (other than those expressly authorised by the approved drawings) without the consent in writing of the Local Planning Authority.*
- The reason given for the condition is: *In the interests of the amenities of the occupiers of the adjoining residential properties.*

Summary of Decision: The appeal is allowed and planning permission is granted subject to conditions in the terms set out below in the Formal Decision.

Preliminary Points of Clarification

1. Despite the imposition of Condition 4, detailed above, 3 clear-glazed velux rooflights (each measuring some 1.5m in height by 1.0m in width) have been installed within the roof of the extension permitted in 2002. This appeal seeks their retention.

Main Issues

2. I consider the main issues to be the effect of the proposal firstly, on the character and appearance of the appeal property itself and the surrounding area; and secondly, on the living conditions of nearby residents, with particular reference to overlooking.

Planning Policy

3. The development plan for the area includes the Surrey Structure Plan 1994, adopted in 1995, and the Runnymede Borough Local Plan Second Alteration, adopted in 2001. Structure Plan policy PE10 seeks to ensure that the character of urban areas is conserved and enhanced, whilst under Local Plan policy HO9 residential extensions should not damage the character and amenity of established residential areas. This policy also indicates that extensions should provide adequate privacy for existing and proposed

properties. In addition, Local Plan policy BE2 indicates that proposals within the urban area will be expected to respect townscape character of recognised high quality, by reference to such matters as building height and roof treatment.

4. The Structure Plan is currently being reviewed, with a Deposit Draft having been published in 2002. Policy SE4 explains that development should contribute to improvements to the quality of urban areas. As this represents sound planning practice, I regard it as a material consideration in this appeal. I have also had regard to further material considerations in the form of Supplementary Planning Guidance (SPG). Two items have been brought to my attention; The Surrey Design Guide (SDG), adopted by the Surrey County Council in 2002; and a Householder's Guide (HG), adopted by the Council in 2003. The SDG states that the design of buildings is of imperative importance to create a good quality environment and that good design should enhance the character and visual appearance. It also points out that development should contribute to local character. The HG requires extensions to not dominate the original building, but to respect its scale and create a harmonising effect. As these items of SPG have been the subject of public consultation and have been adopted by their respective Councils, I give them weight in this appeal.

Reasons

Effect on the appeal property and the surrounding area

5. The appeal site, which is located on the southern side of Tite Hill, contains a detached dwelling which has recently been improved and extended by means of a number of extensions, granted planning permission in 2002 and described above. This property sits at a slightly lower level than the dwellings located to the west and south, which lie within relatively modern cul-de-sac developments. The main entrance to the appeal property is from Tite Hill, but there is also a gated vehicular entrance from the cul-de-sac 'Falaise' to the south, which leads to a large detached garage within the appeal site.
6. The Council contends that the velux windows are highly visible from adjoining properties and are over-dominant in appearance, such that they detract from the design of this detached dwelling and damage its appearance. I accept that the rooflights are fairly large, and have no doubt that they can be seen from nearby properties. Indeed, I saw that they are visible from within the turning area at the end of Falaise. However, there is a significant amount of vegetation along the boundaries of the appeal site and neighbouring properties, including tall, mature trees, and some evergreen trees and shrubs. This vegetation serves to restrict views of the roof and rooflights somewhat, and I do not share the Council's view that the windows are so prominent as to materially affect the appearance of the dwelling. In coming to this view I have been mindful of the fact that some other dwellings in the locality have windows in their roofs, such that the velux rooflights in the current appeal would not be out of keeping with the general character of the area.
7. I accept that the velux windows clearly point to the presence of accommodation within the roof, but the fact that they are grouped closely together at one end of the roof does not, in my opinion, give the impression of a 3-storey dwelling, as contended by the Council. Whilst a greater number of rooflights spread along the roof could well change the dwelling's character, no such proposal is before me in this appeal. I do, however, refer to this matter again, in paragraph 14 below.
8. Overall I am satisfied that allowing the retention of the rooflights would not significantly affect the appearance of the dwelling. As a result I conclude that there would be no

unacceptably adverse impact on the character and appearance of the appeal property itself or on the surrounding area. I therefore find no conflict with the relevant objectives of the development plan policies and SPG referred to above.

Effect on living conditions

9. The 3 velux windows serve a bathroom area, and I saw at my inspection that views out of them are easily obtained. These windows look towards the rear of the dwelling known as Spindles, and also look onto the side elevation of No. 4 Falaise. The Council has, however, estimated that the windows are located some 35m and 30m, respectively, away from these neighbouring properties. At these distances, and in view of the significant amount of intervening vegetation and the slightly lower position of the appeal property, I am not persuaded that any overlooking would be materially worse than can already be obtained from first floor windows.
10. Moreover, because No. 4 Falaise is set at an angle to the appeal property, views into its rear garden are only possible when standing very close to the window. Whilst for Spindles, and to some extent No. 3 Falconwood to the south-west, it seems to me that it is only possible to obtain glimpsed views of the generally less private garden areas away from the dwellings themselves. Overall I consider that the level of mutual overlooking which exists between these properties is not uncommon in established residential areas such as this, and is not unacceptably harmful to residential amenity.
11. I conclude on this second main issue that the retention of the velux rooflights would not have an adverse effect on the living conditions of neighbouring residents, particularly those at Spindles and No. 4 Falaise, through overlooking. There would therefore be no conflict with the Local Plan policies or the SPG which I have already referred to.

Other matters

12. I have noted, from representations made by interested persons, that this is the second retrospective planning application made by the appellant in the past year or so. Clearly this is not how the planning system should work, and I can understand how such matters can cause annoyance to neighbouring residents. However, the important issue here is not whether or not the correct procedures have been followed, but rather, whether the development that has been undertaken is acceptable in terms of the relevant policy framework and other material considerations. For the reasons already given above, it is my view that the insertion of the 3 velux windows does not cause any material harm and is therefore acceptable.
13. I have had regard to all other matters raised, but they are not sufficient to outweigh the considerations which have led me to my conclusion.

Conclusion

14. For the reasons given above I conclude the appeal should succeed. I recognise, however, that the insertion of further rooflights could harm the appearance of the property and, depending on their position, they could also have an adverse impact upon neighbour's privacy. In view of these points I will grant a new planning permission without the disputed condition but with a similar condition restricting any further roof alterations without the prior written approval of the Council. I will also retain the relevant non-disputed conditions from the previous permission.

Formal Decision

15. I allow this appeal and grant planning permission for the erection of a 2-storey side extension, a single-storey rear extension and front and rear extensions to the existing double garage, together with the insertion of velux style rooflights in the roof area, at White Dale, Tite Hill, Egham, Surrey, TW20 0LT, in accordance with application Ref RU.03/1199 made on 5 September 2003, without compliance with condition number 4 previously imposed on planning permission Ref RU.02/0806, dated 19 August 2002 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect. And subject to the following replacement condition:

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, dormer windows or other openings shall be formed in the extensions including the roof (other than those expressly authorised by the approved drawings and by this permission) without the prior consent in writing of the Local Planning Authority.

Dana Wilkenth

INSPECTOR