

Appeal Decision

Site visit made on 5 December 2016

by P W Clark MA MRTPI MCMI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 December 2016

Appeal Ref: APP/C3620/D/16/3160669

14 Nursery Close, Capel RH5 5JU

- 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 Mr Simon Lloyd against the decision of Mole Valley District Council.
 - The application Ref MO/2016/0769/PLAH, dated 9 May 2016, was refused by notice dated 30 June 2016.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 14 Nursery Close, Capel RH5 5JU in accordance with the terms of the application, Ref MO/2016/0769/PLAH, dated 9 May 2016, subject to the following conditions :
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plan number 1327.01.

Reasons

2. A Tree Preservation Order covers the whole area but no tree would be affected by this appeal proposal. The sole main issue is the effect of the proposal on the character and appearance of the vicinity.
 3. Nursery Close is a compactly planned group of terraced properties (those that appear to be semi-detached are actually groups of three) arranged around a parking and turning area. Some of the terraces are uniform in their appearance; others are staggered in plan or have different materials or roof form at each end.
 4. The appeal site is at the end of one terrace of five with tiled upper floor, linked to another group of three with rendered upper floor by garages at ground floor level, staggered in alignment. The proposal would replace a garage by a two storey extension in matching materials, slightly stepped back in alignment.
 5. Unless a similar extension were proposed at the adjoining house, a gap between the two terraces would remain at first floor level and the general spacing of properties around the Close would remain. Even if a similar extension were proposed and allowed at the adjoining property, the continuous
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terrace which would result would be consistent with the character and general spacing of other terraces in the Close in that it would be stepped part way along its length with a change of upper floor cladding material.

6. In either event, the outcome would be consistent with the existing character and appearance of the Close. Although the Council's Supplementary Design Guidance warns that the infilling of gaps can, if repeated, cause a terracing effect which is likely to harm the character of a street, that would not be the case here, where the street consists of terraces.
7. It would comply with policies ENV22 and ENV32 of the Mole Valley Local Plan adopted on 12 October 2000. Amongst other matters, these require development to be appropriate in terms of scale, form, appearance and external materials, to respect the character and appearance of the locality, to retain the character and style of the existing property and not to result in a cramped appearance having regard to the general spacing around buildings in the locality. It would also comply with policy CS14 of the Core Strategy adopted in October 2009. Amongst other matters, this requires development to respect and enhance the character of the area in which it is proposed. I therefore allow the appeal with two of the three conditions suggested by the Council. It is not necessary to impose a condition requiring matching materials because such are shown on the approved plans, compliance with which is required by condition in any event.

P. W. Clark

Inspector