The Planning Inspectorate

Appeal Decision

Site visit made on 12 December 2016

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 6 January 2017

Appeal Ref: APP/L3625/D/16/3155984
Wiggie House, Mogador Road, Lower Kingswood, Surrey KT20 7EW

- 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 Ms Pauline Lawson against the decision of Reigate & Banstead Borough Council.
- The application Ref 16/01137/HHOLD, dated 4 May 2016, was refused by notice dated 6 July 2016.
- The development proposed is the conversion of the roof to habitable space with the addition of dormer windows to the rear and side.

Decision

1. The appeal is allowed and planning permission is granted for the conversion of the roof to habitable space with the addition of dormer windows to the rear and side at Wiggie House, Mogador Road, Lower Kingswood, Surrey KT20 7EW, in accordance with the terms of the application, Ref 16/01137/HHOLD, dated 4 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 following approved plan: Drawing No. P200.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host dwelling and wider area.

Reasons

3. Mogador Road is composed mainly of detached and semi-detached houses. They are of different styles and have various roof forms. Whether or not they have been constructed following a grant of planning permission, there are several dormer windows and other types of roof extension in the area. Some examples are more attractive than others, but overall they do not detract significantly from the character and appearance of the area. The development on Mogador Road is on the southern side only, with open countryside opposite

and to the west beyond the property three plots away. The appeal site is in an Area of Outstanding Natural Beauty (AONB) and adjacent to the Green Belt.

4. The appeal property is a semi-detached house with a pitched, hipped roof. It is proposed to convert the roof space into a bedroom, including by the provision of dormer extensions to the rear and side. The rear dormer would be of a typical design with a vertical face and a pitched hipped roof. It would be set well away from the eaves of the main roof and, although it would be closer to the ridge and hip than is recommended by the Council's guidance[1], it would not look disproportionately large or bulky. Moreover, because it would be aligned with the principal first floor window, and the fenestration would match, the dormer would not seem overly wide. Overall it would relate well to the design of the existing property.

5. The side dormer would have a long sloping face containing a rooflight. It would occupy much of the depth of the main roof and be too close to the eaves, ridge and hip to comply with the Council's aforementioned guidance. However, the design reflects the appellant's effort to achieve adequate space for a staircase with minimal bulk and I consider that it would be quite successful.

6. The dormer would have an atypical appearance, but because it would have only a shallow vertical dimension, it would not be bulky or overly dominant. The development would not look cramped because the space between the appeal property and its neighbour to the east is generous. The dormer would not be seen in long views from the surrounding countryside due to the presence of roadside vegetation; or from the east in Mogador Road due to the steep slope of the land. Seen close up from the street or from neighbouring properties, it might look unusual, but not alien nor incongruous.

7. In light of the above, I conclude that neither element of the proposed development would be harmful to the character and appearance of the host dwelling or wider area. The scheme would conserve the natural beauty of the AONB, a consideration to which I give great weight. Thus, while it would be contrary to certain aspects of the Council's design guidance, it would not conflict with Policies Ho9 or Ho13 of the Reigate and Banstead Local Plan, 2005. Both policies seek to maintain the character of the surrounding area.

Conclusion and Conditions

8. For the reasons above, and having regard to the relevant policies of the development plan taken as a whole, I conclude that the appeal should be allowed.

9. In considering whether conditions should be imposed, I have had regard to the tests in paragraph 206 of the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have imposed the standard time limit for the commencement of development, as well as a condition requiring the scheme to be constructed in accordance with the approved plans. These are necessary for the avoidance of doubt and in the interests of proper planning. To protect the character and appearance of the area, it is also necessary to impose a condition requiring the dormers to be constructed in materials which match those used on the existing house.

[1] The Householder Extensions & Alterations Supplementary Planning Guidance, 2004.

10. The Council has also suggested that a condition should be imposed to require the window in the side dormer to be obscure glazed and fixed shut except for a top opening fanlight. However, this window would essentially be a rooflight above a staircase. It would be difficult to fix it partly shut and, in any case, it is not clear that there would be any undue overlooking from it.

11. There is a window in the first floor flank elevation of the neighbouring property, which appears to serve a staircase, but there is already a similar facing window in the appeal property. I do not consider that the rooflight in the new dormer would have any significant additional effect on privacy and, consequently, I have not imposed this condition.

Louise Phillips

INSPECTOR