
Appeal Decision

Site visit made on 20 December 2016

by L Fleming BSc (Hons) MRTPI

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

Decision date: 11th January 2017

Appeal Ref: APP/L3625/D/16/3155182
55 Downs Way, Tadworth KT20 5DU

- 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 & Mrs Cooke against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/00968/HHOLD, dated 25 April 2016, was refused by notice dated 20 June 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 55 Downs Way, Tadworth KT20 5DU in accordance with the terms of the application, Ref 16/00968/HHOLD, dated 25 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plans: Location Plan Page 1, Combined Site Plan Page 2, Ground Floor – Existing Page 3, Ground Floor – Proposed Page 4, First Floor – Existing Page 5, First Floor – Proposed Page 6, Elevations – Existing Page 7 and Elevations – Proposed Page 8.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) The extension hereby permitted shall not be occupied until the window at first floor level in the east facing elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. The window shall be retained as such at all times.

Application for costs

2. An application for costs was made by Mr & Mrs Cooke against Reigate & Banstead Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposed development on:
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- the character and appearance of the area;
- the living conditions of the occupants of No 57 Downs Way (No 57) with particular regard to outlook.

Reasons

Character and appearance

4. The appeal property is a detached dwelling in a residential area mainly comprising detached dwellings set back from the road, with space between them and of a varied character and appearance.
5. The proposed extension would have a hipped roof matching the roof of the appeal dwelling and the proposed windows would match the proportions of the existing windows. Whilst the proposed brick arch at ground floor level is not a common feature of other properties in the area it adds interest to the proposed front elevation and would not appear out of place in an area where the properties have a varied character and appearance.
6. The proposed two storey side extension would be set off the boundary with No 57 and the main dwelling of No 57 is also set off its boundary with the appeal site. Thus, sufficient space between the appeal dwelling and the neighbouring property would remain for there to be no terracing effect and the space between the extended appeal dwelling and No 57 would be comparable to the space between other properties nearby. Therefore the proposed extension would not appear cramped or out of keeping with the pattern of development in the area.
7. I have had regard to the Reigate and Banstead Local Distinctiveness Design Guide (2004) (LDG) but overall, for the reasons given, I find the proposed extension would not harm the character and appearance of the area and would accord with the good design aims of the National Planning Policy Framework and the development plan. It would specifically accord with Policies, Ho 9, Ho 13 and Ho 16 of the Reigate and Banstead Borough Local Plan (2005) (LP) which aim to ensure good design and that new development positively responds to the character of an area.

Living conditions

8. Although the proposed extension would project beyond the rear elevation of No 57 at two storey level, the windows in the rear elevation of No 57 are some distance away and the proposed extension would be visible through an oblique angle above a brick wall and tall hedging. When viewed from the rear garden of No 57 the proposed extension would be set off the boundary and would only project a relatively short distance beyond the rear elevation of No 57.
9. For these reasons, I find the proposed extension would not be overbearing and thus it would not harm the living conditions of the occupants of No 57 with particular regard to outlook.
10. It would therefore accord with the development plan and the good design aims of the LDG. The proposal would specifically accord with Policy Ho 9 of the LP which seeks to ensure good design and that new development does not harm the amenity of residents living nearby.

Other Matters

11. I acknowledge that the appeal scheme follows a similar proposal which the Council refused planning permission for. However, the full details of that case are not before me and I have assessed the appeal proposal on its merits and found no harm to the character and appearance of the area or the living conditions of nearby residents.
12. I accept the increase in the size of the appeal property may result in an increase in the number of occupants. However, there is no substantive evidence before me to suggest that this would generate any significant increase in noise and disturbance over and above what would be expected in a residential area. Furthermore, off-street parking would be retained at the appeal property and on-street parking is also available such that I find there would be no risk to highway safety or the free flow of traffic in the area as a result of the proposed development.

Conditions

13. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition which requires materials to match the existing dwelling to safeguard the character and appearance of the area.
14. In the interests of protecting the privacy of residents living nearby as requested by the Council I have also imposed a condition which requires the first floor window in the side elevation facing No 57 to be obscurely glazed.

Conclusion

15. For the reasons set out above and with regard to all other matters, I conclude that the appeal should be allowed.

L Fleming

INSPECTOR