
Appeal Decision

Site visit made on 1 February 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 10th February 2017.

Appeal Ref: APP/Y3615/D/17/3166439

Dingwall Cottage, Edwin Road, West Horsley, Leatherhead, KT24 6LN

- 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 Rajat Roy against the decision of Guildford Borough Council.
 - The application Ref 16/P/01715, dated 19 August 2016, was refused by notice dated 12 October 2016.
 - The development proposed is single storey side and two storey side and rear extensions, raising of ridge by 1m with the addition of a chimney and the addition of velux windows.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and two storey side and rear extensions, raising of ridge by 1m with the addition of a chimney and the addition of velux windows at Dingwall Cottage, Edwin Road, West Horsley, Leatherhead, KT24 6LN in accordance with the terms of application Ref 16/P/01715, dated 19 August 2016, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: P01-Location and Block Plan; P02-Existing Ground Floor Plan; P03-Existing First Floor Plan; P04-Existing Loft Plan; P05-Existing Roof Plan; P06-Existing Front and Rear Elevation; P07-Existing Side Elevation; P08-Proposed Ground and First Floor; P09-Proposed Loft and Roof Plan; P10-Proposed Front and Rear Elevations; P11-Proposed Side Elevations; P12-Permitted Development Area; P13 Permitted Development Elevation; and Topographical Survey.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the existing dwellings and surrounding area; and the effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to privacy and outlook.

Reasons

3. Dingwall Cottage is a substantial, detached two-storey dwelling which is located in a sizeable and maturely landscaped triangular plot at the head of a cul-de-sac. All the surrounding dwellings are detached and are similarly situated in large plots.

Character and appearance

4. The Council expresses concern that the impact of the proposed extensions on the scale and the 'arts and crafts' character of the existing dwelling would be unacceptable. Whilst the increase in the overall footprint of the proposed development would be significant, the principal design features of Dingwall Cottage in terms of overall form, roof height and pitch, fenestration, and use of external materials, would be respected in the proposed development. The extensions would appear subservient to the host building. I also consider that the proposed front elevation would closely reflect the existing building in terms of scale, design and external materials. I therefore consider that there would be no harmful impact on the public realm.
5. In the light of the above considerations, and the fact that the curtilage of the appeal site is sufficiently large to accommodate the proposed increase in scale without the site being overdeveloped, I conclude on the first main issue that the proposal would not harm the character and appearance of the existing dwelling or the surrounding area. It would therefore accord with the design principles in Section 7 of *the Framework*¹ and Guildford Borough Local Plan policies H9, which covers extensions to dwellings outside the main urban areas and G5, which sets out a design code.

Living conditions

6. The next door property to the north of Dingwall Cottage, known as Martindale, is a smaller two-storey dwelling, which is set back behind the rear building line of Dingwall Cottage. The proposal would extend as far back as the rear building line of Martindale. There is a dormer window on the south elevation of Martindale, which is obscure glazed, and I consider that the proposed first floor rooflight windows in the north elevation would neither directly overlook nor give the perception of overlooking the occupiers of this room, which I note is not classified as a habitable room.
7. There are three first floor large double windows in the proposed rear elevation serving bedrooms. They would allow an oblique view towards the back garden of Martindale. The screening provided by the existing, mature vegetation, however, would significantly minimise any overlooking of the occupiers of the next door property from these windows. I therefore consider that any impact on the living conditions of the occupiers of Martindale would be insignificant.
8. In addition, the adequate distance and mature landscape screening between the proposed side and rear extensions and the property at Martindale would limit any impact on the outlook of the residents of that property to an acceptable level. I therefore consider that the impact of the proposed development would not be overbearing and oppressive on the living conditions of the occupiers of Martindale.

¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

9. Regarding the relationship of the appeal property to Beechcroft, a detached chalet bungalow to the south, there would be two proposed large rooflights on the south elevation which would face the rear (west) side of Beechcroft. However, the distances would be greater than to Martindale, and the angles would also be obscure. I therefore consider that the impact of the proposed development on the outlook of the occupiers of Beechcroft would also be minimal, to an even lesser degree than in relation to Martindale.
10. In the light of the above considerations I conclude on the second main issue that the proposed development would not unacceptably harm the living conditions of the occupiers of both next door properties at Martindale and Beechcroft in relation to privacy or outlook. As such the proposal would not be contrary to Local Plan policies H9, covering living conditions and G1 covering general standards of development. Neither would it be contrary to paragraph 17 [4] of *the Framework*.

Conditions

11. The Council has not suggested any additional conditions to those which appear in the standard questionnaire, and neither do I. In addition to the standard time condition and the condition referring to the approved plans, condition (2) is to safeguard the character and appearance of the area.

Conclusion

12. I have found that the proposed development would not harm the character and appearance of the existing house or the surrounding area, and that it would not harm the living conditions of the occupiers of the next door properties. It would therefore accord with national policy and the Local Plan. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR