
Appeal Decision

Site visit made on 27 June 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 4 July 2017

Appeal Ref: APP/L3625/W/17/3167935

58B Brighton Road, Hooley CR5 3EE

- 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 Gregory Zabinski against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/02248/F, dated 27 September 2016, was refused by notice dated 20 December 2016.
 - The development proposed is "Conversion of roof void with rear flat roof dormer to provide an additional apartment. Existing staircase extended to serve the new apartment".
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The appellant has provided a draft Unilateral Undertaking relating to a financial contribution towards affordable housing provision. However, it is not signed or dated and is therefore incomplete. Consequently, it does not put into effect what is intended and thus carries no weight. In any event, the Council has made no mention of any requirement to provide an affordable housing contribution. On this basis, such a contribution would appear to be unnecessary and I have not considered this matter further.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the host building.

Reasons

4. The appeal property comprises the top floor flat of a 3 storey detached building. The main part of the building, which fronts Brighton Road, has a pitched roof with side facing gable ends. The building also has a rear outrigger. This element has a pitched roof with a rear facing gable end. Its ridgeline sits below that of the main part of the building. This results in it appearing subordinate to the main part of the building. The pitched roofs of the building and the subordinate relationship of the rear outrigger with the main part of the building, contribute positively to the overall character and appearance of the building. In addition, I did not observe any rear dormers on other buildings in the area and, as such, the largely unaltered rear roof form of the building reflects the unaltered roof forms of other buildings in the area.

5. The proposal seeks to introduce a flat roofed, L-shaped rear dormer onto the rear roofslope of the main part of the building and onto the roof of the rear outrigger, to facilitate an additional flat within the building. I acknowledge that the rear dormer would be constructed from materials to match the host building and would be set down from the ridge, in from the sides and back from the eaves of the main rear roofslope.
6. Nevertheless, the setbacks in respect of the main rear roofslope would be modest. In addition, the rear dormer would extend almost to the end of the rear outrigger and considerably above the ridge height of this part of the building. Furthermore, it would display a consistent roof height which would considerably dilute and fail to reflect the subordinate relationship between the rear outrigger and the main part of the building. Consequently, it would represent a prominent and dominant addition to the building which would result in significant harm to its overall character and appearance.
7. Whilst the rear dormer would not be easily apparent in views from along Brighton Road, I observed that it would be clearly visible from public vantage points along St Margaret's Road, through gaps between some of the dwellings along this road. It would also be likely to be visible from the rear facing windows of a number of properties along St Margaret's Road and from their respective rear gardens.
8. The proposal would therefore be contrary to Policies Ho 9, Ho 13 and Ho 16, of the Reigate and Banstead Borough Local Plan 2005. These policies require, amongst other things, development to promote or reinforce local distinctiveness, to be designed to a high standard, to complement local character, to respect patterns of development and to relate well to existing properties.
9. It would also conflict with the advice of the Council's Householder Extensions and Alterations Supplementary Planning Guidance 2012, which advises that the design and location of dormers should be in keeping with the appearance of the main property.

Other matters

10. The appellant makes reference to permitted development rights in respect of roof extensions. However, it is my understanding that the appeal property does not benefit from such rights. Therefore, there is no realistic fallback position for me to consider. In any case, the appellant notes that the size of the proposed rear dormer would fall outside the provisions of any permitted development rights. I therefore afford limited weight to this matter.
11. I recognise that the proposal would make a contribution, albeit a limited one, to housing supply within the Borough. It would also provide a good quality living environment and a good level of access to local services and facilities for any future occupiers. These benefits weigh in favour of the proposal. However, they would not be sufficient to outweigh the harm I have identified.

Conclusion

12. For the reasons set out above and having regard to all other matters, including highway safety, parking pressure, noise and disturbance, outlook, privacy, cycle and waste storage and trees, I conclude that the appeal should be dismissed.

Alex Hutson INSPECTOR