



Appeal Decision

Site visit made on 20 June 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date: 20 July 2017

Appeal Ref: APP/C3620/W/17/3170303

57 Goodwyns Road, Dorking, Surrey, RH4 2LZ

- 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 Meadvale Homes Ltd against the decision of Mole Valley District Council.
 - The application Ref MO/2016/0731PLA, dated 28 April 2016 was refused by notice dated 10 October 2016.
 - The development proposed is the erection of a two-storey 3 bedroom house in a private garden.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey, three-bed dwelling at 57 Goodwyns Road, Dorking, Surrey, RH4 2LZ in accordance with the terms of the application Ref MO/2016/0731PLA, dated 28 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 the following approved plan: Drawing No AL/1407/1.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Procedural Matter

2. I have slightly shortened the proposal's description to more closely focus on the development involved.

Main Issue

3. The main issue is the proposal's effect on the living conditions at No 6 Stubs Hill.

Reasons

4. The appeal site currently comprises one of a pair of semi-detached dwellings whose front building lines are set back from the street. Set within a generous curtilage which gives garden space to both the dwelling's side and rear the proposal seeks to erect an additional dwelling onto the flank wall of No 57. Identical in depth and extending the existing ridgeline the dwelling would also have roofspace accommodation lit by velux windows within the rear roofslope. The curtilage of No 57 would be subdivided and the new dwelling would have its own surrounding garden.
5. The appeal site comprises the last property on this stretch of Goodwyn Road before the land curves round onto Stubs Hill. Land levels rise northwards along this street and Nos 2, 4 and 6 Stubs Hill, all of which would abut the boundary of the proposed dwelling, are situated on progressively higher ground than the appeal site. The dwelling at No 6 Stubs Hill is set at an angle to the proposed new dwelling and is positioned on significantly higher ground.
6. The Council indicates that due to the constraints of the proposed plot the separation distance between the dwellings' facing elevations would not be sufficient to prevent No 6 being overlooked and, further, the proposed dwelling would have an overbearing impact thereto. I disagree with this approach. No 6's rear garden is of reasonable depth, as would be the case with the proposed dwelling, albeit irregularly shaped. Given the intended distance between, the relative indirect angle and the topography of the land I consider that the circumstances would provide for a new dwelling which would be positioned appropriately in terms of safeguarding the living conditions of the occupiers of No 6.
7. I conclude that the proposal would not be harmful to the living conditions at No 6 Stubs Hill, and the proposal would not conflict with the aims and requirements of Policy CS14 of the Mole Valley Core Strategy, Policies ENV22, ENV23 and ENV24 of the Mole Valley Local Plan or relevant advice within the National Planning Policy Framework.
8. For the above reasons, and having had regard to all matters raised, the appeal succeeds. In terms of conditions, in order to ensure a satisfactory appearance I impose a condition requiring that samples of all external materials to be used shall be approved by the Council. This is reinforced by a condition to provide certainty with its requirement that the development be implemented in accordance with the approved plan. To ensure that the development provides for adequate drainage a condition to this end is imposed, although I have simplified the wording suggested by the Council.
9. The Council has suggested a condition restricting householder permitted development entitlement. However, I do not consider this necessary. The dwelling's rear building line would be consistent with that of No 57 and with the proposed dwelling positioned at a lower ground level than the Stubs Hill properties and also with roofspace accommodation already proposed I see no need to prohibit roof alterations under Classes B and C. Also, given that the

dwelling would have garden space to both the side and rear I do not consider it necessary nor reasonable to cancel Class A rights. The Council has provided no justification for the imposition of a condition regarding carbon emissions and, besides, this is a matter subject to approval under current Building Regulations. Finally, hard surfacing without the use of porous materials is not permissible under the General Permitted Development Order and planning permission would be required otherwise. No such condition is therefore necessary.

Timothy C King

INSPECTOR