



Appeal Decision

Site visit made on 24 July 2019

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 7 August 2019

Appeal Ref: APP/L3625/D/19/3229737
148 Lumley Road, Horley RH6 7JJ

- 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 Coppard against the decision of Reigate & Banstead Borough Council.
 - The application Ref: 19/00222/HHOLD dated 1 February 2019, was refused by notice dated 3 April 2019.
 - The development proposed is first floor extension over existing rear single storey element.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the living conditions of neighbours at adjoining properties, with particular regard to loss of outlook and loss of light.

Reasons

3. The appeal property is a detached two storey property on the north-east side of Lumley Road, in a predominantly residential area, with a pair of semi-detached properties on either side. The existing property has a two storey rear outrigger and single storey element beyond, which runs along the common boundary with No 150 Lumley Road. The proposal would add a first floor extension over the rebuilt single storey element and continue the pitched roof to the rear outrigger over the extension.
4. The neighbouring property to the north at No 150 is a semi-detached property positioned close to the boundary with the appeal property and has a dormer extension at roof level. The traditional form of No 150 with a rear outrigger results in there being rear facing windows to habitable rooms at ground and first floor level in the main part of the house. The outlook from these windows is already compromised by their position in relation to the outrigger at the appeal property as well as the outrigger at No 150. There are also side facing windows in the kitchen, facing towards the existing outrigger at the appeal property. This room includes an eating area alongside the kitchen facilities and I have therefore also considered it to be a habitable room.

5. As a result of the additional length, height and overall massing of the proposed extension along the boundary, I consider that the outlook from these rear and side windows at ground and first floor level in the neighbouring property would be unacceptably worsened. The outlook would become further reduced and restricted by the extended side elevation of the proposed outrigger and as a result it would be unacceptably over bearing and enclosing for the neighbours in terms of outlook from these windows.
6. Although no technical information has been provided, given the orientation of the two properties with No 150 to the north of the appeal property, I also consider that the increased length and height of the rear outrigger as a result of the proposed extension would lead to an unacceptable impact on levels of light to these windows serving habitable rooms.
7. There is access to a terrace area immediately outside the kitchen, but the main part of the garden appears to be to the rear, which is beyond the rear line of the outrigger at the adjoining property. As a result, I do not consider that the enjoyment of the garden at No 150 would be unacceptably affected by the proposed extension.
8. No 146 is on the other side of the appeal property. Given the relative siting of the two properties, with No 146 to the south of the appeal property as well as the distance between the proposed extension and the neighbouring property and its rear facing windows, I do not consider that the living conditions of the neighbours on the southern side at No 146 would be materially harmed, including with regard to loss of outlook and light. However, my findings in relation to the effect of the proposal on the living conditions of these neighbours does not override the harm I have found to the neighbours at No 150.
9. I therefore conclude that the proposed extension would unacceptably harm the living conditions of the neighbours at No 150, with particular regard to loss of outlook and loss of light. This would conflict with Policies Ho9, Ho13 and Ho16 of the Reigate and Banstead Borough Local Plan 2005, the Council's adopted Supplementary Planning Guidance for Householders Extensions and Alterations as well as the National Planning Policy Framework and in particular criterion f) of paragraph 127, all of which seek a high standard of amenity for all existing and future occupiers.
10. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR