



Appeal Decision

Site visit made on 2 August 2019

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/M3645/D/19/3231402

1 Highfield Drive, Caterham CR3 6GR

- 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 Mrs C Dickens against the decision of Tandridge District Council.
 - The application Ref TA/2019/298, dated 14 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is for a first floor extension to form a house from a bungalow and internal alterations.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring residential occupiers at 6 and 8 Highfield Road (Nos 6 and 8), with reference to outlook and overbearing effect.

Reasons

3. The host dwelling is a single storey bungalow located on a hillside plot on a platform terrace, which accommodates an undercroft garage. The proposal is for a first floor extension that would replicate the floor plan of the existing bungalow, creating a house from the host dwelling, which would also include the raising of its roof level by a full storey.
4. Highfield Drive is a narrow road that connects into the steeply inclined Highfield Road, it terminates in a cul-de-sac that provides access to the host dwelling and one other single storey house that appears to be its contemporary. This arrangement results in the host dwelling being in close proximity to the rear gardens boundary of the detached houses at Nos 6 and 8, which are to the south of the host property.
5. By extending the host dwelling by a single extra storey, the proposal, would result in the blank flank wall that faces Nos 6 and 8 almost doubling in size, thereby significantly increasing the proportion of this wall that would be visible above the boundary fence.
6. Although the proposed roof would replicate the existing roof profile at this end of the proposed extension, it would be one storey higher than the existing. However, due to the orientation of the properties, the proposal would not appear to result in a loss of light or overshadowing to Nos 6 and 8.

7. However, due to the scale, height and massing of the proposed extension, when combined with the proximity of the host dwelling to the boundary with these properties and the modest size of their rear gardens, the proposal would result in visual intrusion, loss of outlook and an overbearing sense of enclosure when experienced from the rear rooms of Nos 6 and 8 and from their rear gardens.
8. It is noted that there is a curtilage building in the rear garden of No 6 that sits partly in front of the existing flank wall of the host dwelling, however, when viewed from this property, the proposed extension of the flank wall would be visible above the level of this curtilage building. There is also mature planting on the rear boundary of Nos 6 and 8 that would screen some of the proposal, however, due to the scale of the proposal it would not mitigate against its visual intrusion and overbearing effect and the existing planting could die or be removed at any time.
9. For these reasons the proposal would have an unacceptable harmful effect on the living conditions of the occupiers of Nos 6 and 8, contrary to Policy CSP18 of the Tandridge District Core Strategy (the CS) and Policy DP7 of the Tandridge Local Plan Part 2: detailed Policies, which seek to ensure that new development and extensions do not result in adverse impacts on neighbouring amenity, including by overbearing effect and visual intrusion.

Other Matters

10. The appellant has drawn to my attention the previous refused proposal¹ for extending the host dwelling. Whilst I acknowledge that the appellant has sought to make improvements to their development proposals, in my determination of this appeal I have considered the proposal on its individual merits.
11. With policy CSP7 of the CS in mind, which seeks to encourage housing for the elderly and those with special needs, I acknowledge that the proposed extension would better meet the appellant's personal and family needs. However, in general, planning decisions should be made in the wider public interest. In this context, the harm of the scale and form of the proposed extension that I have identified is significant and it outweighs the personal needs of the appellant and family. Dismissing the appeal is a proportionate response in this instance.

Conclusion

12. For the above reasons and taking all other matters into account, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR

¹ Planning Ref: 2018/2306