



Appeal Decision

Site visit made on 12 February 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th March 2020

Appeal Ref: APP/M3645/D/19/3242003

Folly View, 2 Sylvan Close, Limpsfield, RH8 0DX

- 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 R & N Walters against the decision of Tandridge District Council.
 - The application Ref: TA/2019/1091 dated 11 June 2019, was refused by notice dated 4 October 2019.
 - The development proposed is extensions at first floor level, conversion of loft to habitable accommodation and formation of inset balcony.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the Council's conclusions in respect of the effect of the proposed development on the conservation area (CA), I have a statutory duty required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the effect on the character or appearance of the CA, taking into account the provisions of the National Planning Policy Framework (the Framework). I address this in my reasoning below.

Main Issues

3. The main issues are:
 - whether the proposed development would preserve or enhance the character and appearance of the Limpsfield Conservation Area having particular regard to the effect on the character and appearance of the host property and the streetscene; and
 - the effect of the proposed development on the living conditions of the occupiers of 1 and 3 Sylvan Close, with regard to privacy and outlook.

Reasons

Character and appearance

4. Number 2 Sylvan Close (No. 2) is an attractive detached house, located at the top of Sylvan Close, a residential cul-de-sac. The house is two-storeys and features a hipped roof and single-storey side and rear extensions with a first-floor dormer window in its north-east elevation. Together with 1, 3 and 4

Sylvan Close (Nos. 1, 3 and 4), No 2 forms a group of similar properties which step back from each other as the road gently bends as it slopes downhill away from its junction with High Street. Within this group of properties, both Nos. 3 and 4 have been significantly extended at roof level with side and rear dormers.

5. The appeal site is located on the edge of but within the Limpsfield Conservation Area (LCA). The main part of the LCA lies further along High Street around the historic village centre where there are a large number of historic buildings which contribute to the character and appearance of the conservation area as a whole. Sylvan Close is a more recent development of buildings dating from the twentieth century, but with a traditional design in keeping with the LCA. Due to their position uphill from the village centre and on the edge of the conservation area, they are not widely visible although the appeal property being close the junction with High Street is. In my view, the appeal property makes a neutral contribution to the significance of the conservation area.
6. The proposed side dormer facing towards No. 1 would sit just below the ridge line and would be very wide, extending across a large proportion of the width of the roof. As such, it would appear unduly large, bulky and dominant on this roof slope. The proposed side extension would extend the first floor towards No. 3, with a pitched roof above incorporating a dormer window above. The first-floor extension would integrate with the existing building as it would sit above an existing extension. However, when combined with the dormer which would project out from just below the ridge line of the main roof, it would have a bulky appearance, with an unusual and awkwardly shaped roof profile. The combined effect of these additions would appear disproportionately large in comparison to the modest proportions of the existing house, resulting in a loss of the original character of the property.
7. Given the extensions to both Nos. 3 and 4, side and rear dormer roof extensions are not out of character within this part of Sylvan Close. Whilst these adjacent developments are similar to the appeal proposal, the dormers to these properties are not as large, prominent or wide as those of the appeal proposal, particularly the dormer to the north east side facing towards No. 1.
8. Due to the position of the appeal property both close to the junction of Sylvan Close and High Street and being at the top of a hill, the excessive width of this dormer would be very prominent on the approach to Limpsfield village from High Street. It would detract from both the character of the host property and the street scene and consequently it would fail to preserve or enhance the character and appearance of the LCA.
9. The more modestly sized dormer on the south-west elevation, whilst a bulky addition, in the context of the adjacent properties would not appear out of keeping with neighbouring development. The rear facing dormer would not be widely visible from the public realm and would not be harmful.
10. The proposed development would lead to less than substantial harm to the significance of a designated heritage asset, namely the LCA. As required by paragraph 196 of the Framework harm needs to be weighed against the public benefits of the proposal. In this case, the additional accommodation would be a benefit for the appellant but would not provide a wider public benefit.

11. I conclude that there would be insufficient public benefit arising from the proposal to outweigh the harm to the character and appearance of the host property and the street scene and the LCA. It would therefore conflict with Policy CSP18 of the Tandridge District Core Strategy 2008 (Core Strategy) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (Local Plan) and Policies LNP1 and LNP3 of the Limpsfield Neighbourhood Plan 2019. These policies together and amongst other things, seek a high standard of design that respects local character and context and fits unobtrusively with the existing building.

Living conditions

12. The driveway to No. 2 separates it from the adjacent property at No. 1. Within the side elevation facing towards the appeal property, there are 2 first floor windows. The excessive width of the proposed dormer in the north east elevation and its position relatively close to the boundary with No. 1, when viewed from these windows, would make it appear overbearing. This would be harmful to the outlook of these occupants.
13. The proposed development would include a dormer leading to a balcony at the rear of No. 2. Due to its elevated position, users of the balcony would have a direct view into both the rear gardens of neighbouring properties. The balcony which provides space for outdoor seating, would be used when neighbours would also be likely to be outside enjoying their gardens. The overlooking of these gardens that would arise from the position of this balcony would lead to a significant loss of privacy for these adjoining neighbours. I have considered whether a condition could be imposed requiring screening to be provided to the balcony in order to mitigate this harm. However, I am not satisfied that such screening could be incorporated into the development without causing unacceptable harm to the character and appearance of the host property.
14. A window within the proposed dormer would overlook the first floor windows in No. 1. However, since it would serve a stairwell and would be positioned high relative to a person using the stairs, it is unlikely that occupants would be able to look out of this window and down towards the first floor windows or garden to No. 1. Furthermore, the window would be slightly larger but similar to an existing first floor landing window in the side elevation of No. 2 which already overlooks these windows. As such, it would not therefore cause a material loss of privacy to these neighbours.
15. The existing relationship between Nos. 2 and 3 gives rise to a degree of mutual overlooking with each property having first floor bedroom windows facing towards each other. Due to the staggered arrangement of the houses, these windows are not directly facing. The proposal to reposition the first-floor bedroom window would move this window closer to the boundary with No. 3. However, as it would be closer but offset, the angle from which a view into this opposite window would be reduced and as such there would be no unacceptable increase in overlooking of this window. The proposed dormer window would be to a family room and would be directly opposite the dormer window to No. 3. However, this window in No. 3 serves a staircase and the privacy of this neighbour would not therefore be unacceptably harmed by this proposed window.
16. I conclude that the proposed development would significantly harm the living conditions of the occupiers of Nos. 1 and 3, with regard to privacy and outlook.

It would therefore conflict with Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan. These policies seek to protect the amenities of neighbouring occupiers from overlooking and overbearing development.

Other Matter

17. The appellants have indicated that they discussed the proposal with their immediate neighbours and that they do not object to the scheme. In this regard, I have also noted the correspondence in support of the scheme from the neighbour at No. 3. However, even if the existing occupiers of neighbouring properties do not object, it is also important to have regard to the interests of future residents. This support for the scheme does not outweigh the harm I have found to both character and appearance and the living conditions.

Conclusion

18. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR