



Appeal Decision

Site visit made on 18 December 2019

by L Gilbert BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th March 2020

Appeal Ref: APP/M3645/D/19/3233924

15 Chapel Road, Warlingham CR6 9LH

- 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 Des Burke against the decision of Tandridge District Council.
 - The application Ref TA/2018/2456, dated 12 December 2018, was refused by notice dated 31 May 2019.
 - The development proposed is erection of part single, part two storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of part single, part two storey side extension at 15 Chapel Road, Warlingham CR6 9LH in accordance with the terms of the application, Ref TA/2018/2456, dated 12 December 2018, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 18/1707-01 Rev.A, 18/1707-03, 18/1707-04, OS Site Plan scale 1:1250 and Proposed Block Plan.

Procedural Matter

2. The description above has been taken from the Council's decision notice rather than the application form. This is because it includes reference to the single storey part of the proposed extension and is therefore more accurate.

Main Issue

3. The main issue is the effect of the proposal upon the living conditions of the occupiers of No 17 Chapel Road, with particular reference to outlook and daylight/sunlight.

Reasons

4. The design features of the proposed side extension would include a set back from the front wall of the main house, a step down from the roof ridge and a sloped gable ended roof. At its closest, according to the Council the proposed

extension would extend to within approximately 3.3m of the boundary fence with the neighbouring property No 17 Chapel Road (No 17) at ground floor level, and approximately 3.8m at first floor level. I note No 17 has a modest sized rear garden compared to other properties in the locality. However, the proposal's design features, including the lower ridge height and set back from the front, would help the extension appear subservient to the main dwelling. In addition, the adequate distance from the boundary with No 17 would mean that the extension would not appear overbearing or harm the outlook from that property. Furthermore, the dwelling at No 17 is set well forward of the appeal property meaning any impact would be lessened. I therefore consider the proposed extension's siting and scale would not be detrimentally overbearing from the garden of No 17.

5. Although there is a ground floor side window at the bungalow at No 17, there is vegetation along the boundary providing screening.
6. A resident at No 17 is also concerned with loss of daylight and sunlight to their property. The proposed extension would be located to the south-east of No 17. This neighbour would experience some loss of sunlight at the beginning of the day, but this would not be for a prolonged period. I do not consider this would be detrimental to the enjoyment of the garden. Due to the separation distance between the proposed extension and No 17, there would be a minimal loss of daylight to this neighbouring property. I therefore do not consider the proposed extension would lead to a significant loss of daylight and sunlight to windows or the garden at No 17.
7. Accordingly, I find that the proposal would not significantly harm the living conditions of the occupiers of No 17 Chapel Road with particular reference to loss of outlook and daylight/sunlight, nor would it have an overbearing effect. It would therefore accord with Policy CSP18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014-2029 (2014), which seeks amongst other things that development must not significantly harm the amenities of the occupiers of neighbouring properties.

Conclusion

8. For the reasons set out above, and having regard to all other matters raised, I conclude the proposed development would be acceptable and thus the appeal should be allowed.

L Gilbert

INSPECTOR