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## Appeal Decision

Site visit made on 11 January 2021

**by Kenneth Stone BSC Hons DipTP MRTPI**

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

**Decision date: 23 February 2021**

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**Appeal Ref: APP/C3620/D/20/3261899**

**Genista, Old Reigate Road, Betchworth Surrey RH3 7DE**

- 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 Hammond against the decision of Mole Valley District Council.
  - The application Ref MO/2020/0964/PLAH, dated 11 June 2020, was refused by notice dated 31 July 2020.
  - The development proposed is the erection of first floor extension to existing bungalow, single storey front infill extension and two storey rear extensions. Alteration and extension to existing garage to provide gym/home office above and veranda detail linking the garage to main dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of first floor extension to existing bungalow, single storey front infill extension and two storey rear extensions. Alteration and extension to existing garage to provide gym/home office above and veranda detail linking the garage to main dwelling at Genista, Old Reigate Road, Betchworth Surrey RH3 7DE in accordance with the terms of the application, Ref MO/2020/0964/PLAH, dated 11 June 2020, subject to the conditions contained in the schedule at the end of this decision.

### Preliminary matter

2. The proposals the subject of this appeal include alterations and extensions to the existing bungalow as well as to the adjacent garages. The alterations to the bungalow have been the subject of a previous approval Local Authority reference MO/2020/0507 which was approved with conditions on 11 May 2020. At the time of my visit the bungalow was shrouded in covered scaffolding. I have been informed that this is the implementation of the extensions approved under the previous permission. In effect the alterations and extensions to the bungalow are agreed to be acceptable to the parties and from what I saw on site I have no reason to conclude differently. The matters in dispute, and indeed the reasons for refusal, relate to the proposed alterations and extensions to the garages and it is on these matters that my decision is focused.

### Main Issues

3. The main issues relate firstly to the effect of the proposals on the character and appearance of the building and the surrounding area; and secondly the effect of the proposed development on the living conditions of the occupants of the

adjoining property, Parrs Corner, with particular reference to privacy, outlook and light.

## Reasons

4. The development plan for the area includes the saved policies retained in the Mole Valley Local Plan, adopted in 2000 (MVLN) and the Mole Valley Core Strategy, adopted 2009 (MVCS). The policies identified by the parties on which this decision should turn and which are the most important for determining the appeal are policies CS1 and CS 14 from the MVCS and policies ENV 22, 23 and 32 from the MVLN. These policies are consistent with the principles in the National Planning Policy Framework (The Framework) and no case has been put to me that they are out of date. In effect they are predominantly development management matters for assessing impact. Policies ENV22, 23 and 32 relate to respect for the character of the area, respect for setting and house extensions respectively. Together they seek development that is appropriate in scale form and appearance, respects the character of the area and safe guards the living conditions of the occupants of neighbouring properties.
5. CS1 from the MVCS refers to where development will be directed. In this regard the development is located in Betchworth, a smaller rural village where CS1 indicates limited development and infilling will take place on previously developed land. The Council note the site lies within the smaller rural village of Betchworth which is within the Metropolitan Green Belt, where the principle of development is acceptable in accordance with Core Strategy policy CS1 subject to the usual development control criteria. Such villages, of which this forms one, are considered capable of accommodating modest and infill development without detriment to their character or harm to the Green Belt. I see nothing before me to reach a different conclusion on this point. Policy CS14 from the MVCS relates to the Townscape, Urban Design and Historic environment and requires all new development to respect and enhance the character of the area amongst other matters.

### *Character and appearance*

6. The surrounding locality is characterised by large detached properties in generous plots that are generously set back from their frontages. There is a significant variation in style, design, bulk and form of the properties with no particular aspect dominating. The variety of style and form is part of the general character of the area. The generous plots contain extensive mature landscaping providing the area with a verdant appearance and many have extensive boundary planting. The appeal site has a recently planted front hedge and an extensive lawn area with a substantial mature tree between the highway and the appeal property and garage. The existing flat roofed garage group is located to the side but in front of the main bungalow. At the time of my visit the bungalow was enclosed in scaffolding and sheeting.
7. The proposed additions extensions and alterations to the garages would increase the bulk, mass and prominence of this element of the built form on the site. However, given the context of the alteration and extensions to the bungalow these would be reasonably in keeping with the bulk and mass of the overall built form and would not appear excessively disproportionate or out of keeping. The overall ridge height, dimensions and dormer features would give this element of the development the appearance of a subsidiary feature to the main property. The overall height of the extended bungalow would be lower

than the surrounding properties and that of the garage element substantially so.

8. The property and garages are set well back from the main frontage and screened by existing mature landscaping in the area such that long views are not readily visible. The significant set back and verdant local character would ensure that the bungalow and garages would not appear as an intrusive or highly visible element in the street scene or the general appearance of the area. Whilst presently the front boundary is somewhat open this is due to a recently planted front boundary hedge. This will mature over time and seclude and restrict views into the site further reducing any impact that may result from the more limited views to the front of the property.
9. The provision of a garage to the front of the main dwelling is not an uncommon feature in the locality and many of the properties in the area have garages that are closer to the road than the main dwelling on the plot. The garage would be located in close proximity to the main property and the complex of buildings read as one element with the associated linkages. The garage would not appear as an excessively dominant or inappropriate addition in this context.
10. As noted earlier the alterations and extensions to the bungalow itself have previously been found to be acceptable by the Council and I see no reason to arrive at a different conclusion in the context of these proposals. The significant variation in form and style of buildings, the generous plot size, the set back and the verdant nature of the locality ensure that the development would be well integrated with the surroundings and would not detract from the appearance of the street scene or the character of the area.
11. For the reasons given above I conclude that the proposed development would not materially harm the character and appearance of the building or the surrounding area. Consequently, it would not conflict with Policy CS14 in the MVCS or policies ENV22, 23 or 32 in the MVLP which collectively seek to ensure high quality development that respects the character and appearance of the area.

#### *Living conditions*

12. The property sits between Morden Grange to the west and Parrs Corner to the east with Thorncroft being located to the south. Given the separation from these properties, the nature of the proposed alterations and extensions and the existing boundary treatment I am satisfied that there would be no material harmful effect arising from the development on Morden Grange and Thorncroft. These conclusions reflect the previous approval of the extensions and alterations to the bungalow that have previously been approved. Given the nature of the works and alterations to the garages, and the location of this part of the development, there would be no significant impact of this new part of the development on those properties.
13. Parrs Corner is a detached chalet style property with rooms in the roof with dormer windows including overlooking the garage location of the appeal site. The appeal property and garages are set at a slightly lower ground level than the adjacent properties and the overall proposed ridge heights would be below those of the adjoining properties. The accommodation over the garages is contained within a pitched roof illuminated by forward facing dormer windows. The overall ridge height of this element is substantially lower than that of Parrs

Corner. The garage is angled towards this boundary with an increasing distance closer to the main bungalow on the appeal site. The separation in association with the existing mature landscaping and the design of the roof form, including its height, would ensure that the proposed development was not such that it was significantly intrusive to the outlook or light reaching the flank of Parrs Corner. The general orientation, separation and relationship with the main bungalow would mean the garage would have a limited effect on the light reaching Parrs Corner or indeed any significant sense of enclosure of the more useable and important parts of its garden space.

14. For the reasons given above I am satisfied that the proposed development would not result in material harm for the occupants of the adjoining properties, in particular Parrs Corner, with reference to privacy, outlook and light. Consequently, it would not conflict with Policy ENV22 or 32 in the MVLP which together seek to ensure development does not harm the amenities of occupiers of adjoining properties.

### **Overall conclusions and conditions**

15. The Council have not suggested any conditions to be imposed. Whilst development is ongoing on site this is in respect of a previous approval therefore a time limit for this permission would be appropriate. Similarly, an approved plans condition is necessary to ensure certainty as to what has been approved. The previous permission included conditions to ensure obscure glazing on windows in the flank walls of the extended bungalow and to preclude the insertion of new windows in the future. These are necessary in the interests of the privacy of the adjoining properties and I have therefore imposed them on this permission. Given the additional element of the garage works I have extended them to refer to the rear east elevation of the garage building to obscure glaze the first floor staircase window and ensure no additional windows are provided in the first floor of the rear elevation and rear roof slope, for reasons of privacy.
16. For the reasons given above I conclude that the appeal should be allowed.

*Kenneth Stone*

INSPECTOR

### **Schedule of conditions for Appeal APP/C3620/D/20/3261899**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan J003577-DD-01; Proposed Site Block Plan J003577-DD-09; Proposed Site Plan J003577-DD-10; Proposed Ground Floor Plan J003577-DD-11; Proposed First Floor Plan J003577-DD-12; Proposed Elevations 1 J003577-DD-13; Proposed Elevations 2 J003577-DD-14; Proposed Garage Ground Floor & Elevations J003577-DD-15; Proposed Garage First Floor & Elevations J003577-DD-16; Proposed Roof Plan J003577-DD-17; Proposed Front Elevation in Context J003577-DD-18.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall at any time be inserted in the first floor western and eastern elevations of the main dwelling, as extended, or the first floor or roof slope of the rear eastern elevation of the garage, gym/home office extension.
- 4) Prior to the first occupation of the development hereby permitted the first floor windows in the western and eastern elevations of the extensions to the main dwelling hereby permitted and the eastern elevation of the garage, gym/home office extension hereby permitted shall be glazed in obscured glass and permanently retained in that condition thereafter.

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