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## Appeal Decision

Site visit made on 2 September 2021

**by Elizabeth Lawrence BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 September 2021**

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**Appeal Ref: APP/C3620/D/21/3268660**

**5 Ladyegate Road, Dorking, Surrey, RH5 4AS**

- 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 Scott Sullivan against the decision of Mole Valley District Council.
  - The application Ref MO/2020/1544/PLAH, dated 3 September 2020, was refused by notice dated 18 November 2020.
  - The development proposed is described as erection of a first floor side extension, rear extension first floor balcony to the rear and front extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the existing dwelling, the area and the setting of No. 1 Ladyegate Road (No.1), which is a grade II listed building.

### Reasons

3. Ladyegate Road is located within a spacious and verdant private residential estate, that is bordered to the east by woodland and a golf course. Ladyegate Road is predominantly characterised by two storey detached family houses, which occupy generous sized plots which sit on land which rises to the south. The plots are enclosed by a combination of mature hedges, low walls and fences and the gardens include an abundance of hedges, shrubs and trees, which contributes to the sylvan character and appearance of the locality.
4. The appeal site is located on the south side of Ladyegate Road at the end of a row of eight large, inter-war, two storey family houses with plain tiled hipped roofs, large central porches in front of predominantly flat and uniform two storey front elevations. A number of the dwellings have single/two storey side additions that respect the simple form of the front elevations. The majority of the dwellings in the row have broadly consistent front building lines, which results in the front gardens increasing in depth as they progress east along Ladyegate Road. At the eastern end of the row, the appeal dwelling and the dwelling at 7 Ladyegate Road are set materially deeper into their plots and have staggered building lines. They occupy an elevated position within the street scene.

5. To the northeast of the appeal site is No.1, which is located close to the road and is separated from the appeal dwelling by a tennis court and swimming pool. No.1 is one of the original lodges of Deepdene and comprises an irregular shaped early C19th single storey building with rough plastered walls. It includes a number of quoins, roof parapet, round headed windows, rusticated columns pediment with overhanging eaves, chimney and porch with a round headed arch.
6. It is stated that the building is presumably designed by W Atkinson in 1804 and at one time formed part of the east entrance to Deepdene House. Whilst No.1 and the appeal site are not located within the associated Grade II Registered Historic Park, they are located within part of the historic parkland, which remains legible. This is partly due to the existence of No.1 along with the spacious, undulating and verdant character of the estate and its well wooded countryside setting.
7. These factors all contribute to the character appearance and significance of No.1 and its historic role as part of the entrance to the historic parkland.
8. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when assessing proposals for new development which affects the setting of a listed building, special attention shall be paid to the desirability of preserving its setting. Consistent with this, Mole Valley Local Plan (LP) Policy ENV43 relates to alterations and additions to listed buildings and their setting. It states that proposals should not detract from the character or setting of listed buildings. Mole Valley Core Strategy (CS) Policy CS14 requires new development to respect and enhance the character of the area, whilst making best use of the site and protecting the historic environment.
9. The National Planning Policy Framework 2021 (Framework) has similar objectives and defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. It states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
10. Regarding design and appearance LP Policies ENV22 and ENV23 seek to ensure that new development respects its setting and is appropriate in relation to its scale, form, appearance and external building materials. LP Policy ENV32 states that residential extensions should not be unduly prominent from neighbouring properties or the immediate locality and should retain the character and style of the existing property. The Mole Valley Design Guidance for House Extensions 2000 (DG) is consistent with this. It advises that extensions should not be excessive in relation to the host property or detract from its overall shape and style.
11. The Framework similarly states that new development should be sympathetic to local character, be visually attractive as a result of good architecture and add to the overall quality of the area, whilst optimising the potential of the site. It encourages a proactive approach which supports sustainable forms of development, (Paragraphs 199, 200 & 202).

12. Planning permission has already been granted for similar extensions to the property (planning permission MO/2020/0785PLAH). Having regard to the siting, form, size and design of the approved extensions I similarly find that they would respect the character and appearance of the street scene and would not impact on the setting of No.1.
13. The only difference between the approved and proposed schemes is that with the appeal proposal the first floor side extension would project out to the side elevation of the existing attached garage and would be increased in depth.
14. The proposed side extension would be marginally deeper than that of the existing dwelling and would have a minimal impact on the character and appearance of the host dwelling. It would not be noticeable from the street scene. Whilst part of the side flank wall would be two and half storeys high, it would be visually broken up by the detailing on the side elevation, the side steps, associated wall and the attached one and half storey front projection. Also, the lower side wall would not be visible from the street scene or No.1. In these respects, the proposal would not have a materially adverse impact on the character and appearance of the host dwelling or the character or appearance of the setting to No.1.
15. Notwithstanding this, due to the width of the proposed first floor side extension and in particular its roof and ridge line, the extension would appear overly large and disproportionate in size to the host dwelling. It would detract from the modest scale of the original dwelling and its roof. Together with the pitched roof of the single storey front projection the proposed first floor side extension would dominate and detract from the simplicity and uniformity of the host dwelling. Not only would it harm the character and appearance of the host dwelling, due to its elevated position close to the entrance to Ladyegate Road it would harm the character and appearance of the street scene and the setting of No.1.
16. Whilst the harm to the setting and significance of No.1 would be less than significant, it needs to be weighed against any public benefits that would result from the proposal. The construction of the proposed extension would result in local employment and would benefit the local economy. These benefits would clearly fail to outweigh the identified harm to the significance of No.1 and this harm could not be satisfactorily addressed through the imposition of conditions.
17. Finally, the appellant has referred to an extension at 28 Deepdene Road, which was approved in 2019. Whilst that extension is similar in form to the proposed side extension, it is not as wide and its roof and ridge line are more proportionate to the host dwelling. Accordingly, it is not directly comparable to the appeal scheme and serves to demonstrate the need to assess each proposal on its individual merits.
18. I conclude that the proposal would unacceptably harm the character and appearance of the host dwelling and the area. It would harm the character and appearance and detract from the significance of No.1. This harm to the significance of No.1 would not be outweighed by any public benefits. Accordingly, the proposal would conflict with LP Policies ENV22, ENV23, ENV32 & ENV43, CS Policy CS14, the DG and the Framework.

*Elizabeth Lawrence*

INSPECTOR