



Appeal Decision

Site visit made on 10 March 2022

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH March 2022

Appeal Ref: APP/C3620/D/21/3287034

The Bungalow, Blades Close, Leatherhead, Surrey, KT22 7JY

- 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 Guhfran Hussain against the decision of Mole Valley District Council.
 - The application Ref MO/2021/1342/PLAH, dated 2 July 2021, was refused by notice dated 9 September 2021.
 - The development proposed is described as erection of a first floor extension to change bungalow to a house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the street scene. The second main issue is the effect of the proposal on the living conditions of the occupiers of Amberley Cottage, Grange Road, with particular regard to visual impact.

Reasons

Character and appearance

3. Blades Close is a small residential cul-de-sac which rises gently to the northeast. It is characterised by a mixture of single and two storey detached dwellings which step up gradually towards the end of the cul-de-sac. The dwellings have predominantly hipped, shallow pitched roofs; wide front elevations; modest eaves levels that sit just above the first-floor windows; a predominance of wide windows; and a variety of single storey side additions, garages and walls between the houses and their side boundaries. Together these features contribute to the consistent design and strong horizontal appearance of the dwellings.
4. Other than one dwelling with multi colour brick walls, the dwellings in Blades Close are constructed from light/buff coloured bricks. Just outside Blades Close the palette of external materials is more varied and includes render, brown and red brick and some timber cladding.
5. The dwellings in Blades Close have varied front and rear building lines and occupy generous sized plots, with open and spacious front gardens. There are varied sized gaps between the dwellings, although typically the gaps above side

extensions, garages and tall walls are generous in size. These gaps provide views of the trees and space within the rear garden environment and contribute to the verdant and spacious character and appearance of the street scene.

6. The appeal dwelling is the first dwelling on the northern side of Blades Close. Due to its strong horizontal lines, shallow pitched roof and wide frontage it respects the other dwellings in the road. It sits at lower level and alongside the dwelling 1 Blades Close (No.1), whose attached garage is sited more than one metre from the appeal dwelling. It is understood that planning permission has been granted for an extension which projects to the front and rear of this garage. At the time of the appeal site visit work on an extension in this location was progressing.
7. The appeal dwelling, sits at a lower level to No.1 and is sited approximately one metre from its side boundaries. To the west the appeal site adjoins the shallow rear garden to Amberley Cottage, which fronts onto Grange Road. Amberley Cottage is a chalet bungalow with rendered walls and a part hipped and part gabled shallow pitched roof.
8. Mole Valley Local Plan (LP) Policies ENV22 and ENV32 seek to ensure that new development respects its setting and is appropriate in relation to its scale, form, appearance and external building materials. 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. Development should not have a significant harmful effect on the living conditions of the occupiers of neighbouring properties.
9. Mole Valley Core Strategy (CS), Policy CS14 states that new development must respect and enhance the character of the area, whilst making best use of the land available. Ashstead Neighbourhood Development Plan (NP) Policies AS-H5 and AS-En3 state that developments should be visually integrated with their surroundings and be designed to have regard to the local character of the street scene. Paragraph 130 of 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.
10. The Mole Valley Design Guidance for House Extensions 2000 (SPG), advises that the terracing effect resulting from filling gaps between dwellings can have a harmful effect on the character of the street scene. To prevent this from happening it advises that two storey extensions should be sited a minimum of one metre from the properties side boundary. Also, that this may need to be increased and that extensions should maintain the prevailing spacing within the street scene.
11. Having regard to the predominance of two storey dwellings in Blades Close and the generous width of the appeal site, in principle it is a site where a two storey dwelling may be appropriate and acceptable. However, any such dwelling would need to respect its setting and should not have a materially adverse impact on the living conditions of any nearby residents.
12. The proposed resultant dwelling would be two storeys high with an eaves height of 5.334 metres, which is higher than the eaves heights of other dwellings in Blades Close. Its two storey flank wall would be approximately

one metre from the boundary with No.1 and would be some six metres from the two storey flank wall of the dwelling at No.1. However, it would only be just over one metre from the approved single storey extension at No.1, which projects forward of the adjacent front walls of both properties. Elsewhere in Blakes Close single storey side additions do not project forward of both the host and adjacent dwellings.

13. As a result of these factors the relationship between the proposed resultant dwelling and the dwelling at No.1 would appear uncharacteristically cramped. It would be out of keeping with the spacious character and appearance of the street scene. The situation would be exacerbated by the proposed two storey front projecting wing with its gable roof, which would accentuate the height and mass of the resultant dwelling. At the same time, the large southwestern flank wall of the resultant dwelling would be approximately one metre from the boundary with Amberley, which sits at a lower level and has an uncharacteristically shallow rear garden. These factors would add to the prominent and cramped appearance of the proposed development, when viewed from within Blade Close.
14. As pointed out by the appellant, planning permission was granted for a two storey dwelling on the appeal site in 1984. However, the site plan associated with that application shows the dwelling sited several metres from the boundary with Amberley and at least one metre from the boundary with No.1. Also, at that time no side extensions were as shown at No.1. As such, that approval is not directly comparable to the appeal scheme and its immediate setting.
15. Overall, the proposal would materially and unacceptably harm the character and appearance of the street scene and this harm would outweigh the benefits resulting from the proposal. This includes the extended and enhanced living conditions for the appellant and their family, as well as the economic benefits resulting from the construction works.
16. I conclude that the proposal would unacceptably harm the character and appearance of the street scene. Accordingly, the proposal would conflict with LP Policies ENV22 & 32, CS Policy CS14, NP Policies AS-H5 and AS-En3, the SPG and paragraph 130 of the Framework.

Living conditions

17. Amberley Cottage sits at a lower level to the appeal property and has a shallow rear garden. Although it has a large front garden which is clearly used for private recreational purposes, the rear garden also provides private amenity space and an attractive outlook from various habitable rooms. Due to its combined height and depth the flank wall of the proposed resultant dwelling would dominate the outlook from the rear garden and rear facing windows at Amberley Cottage. I note that the rooms on the southern side of Amberley Cottage have dual aspects. However, this would not address the overbearing impact the proposal would have on the outlook from the large rear facing windows.
18. For these reasons the proposal would be visually overbearing for the occupiers of Amberley Cottage.

19. The appellant has referred to a number of other developments in the locality, which are as close or closer to neighbouring dwellings. The side/rear extension at Amberley Cottage is located at an oblique angle to the appeal property and does not dominate the outlook from its main front or rear windows. The extension at Amberley Cottage is also materially lower than the appeal proposal. Similarly, the proposals referred to in Stag Leyes and Grange Road are not directly comparable to the proposal. Rather than set a precedent they serve to highlight the need to assess each proposal on its individual merits and against the prevailing planning policies.
20. I have taken into account the concerns expressed by the occupiers of 8 Grange Close and Woodlands. Having regard to the separation distances and juxtaposition between the proposed resultant dwelling and these properties, I am satisfied that the proposal would not have an unacceptable impact on their living conditions due to loss of privacy, overshadowing or visual impact.
21. Finally, with regard to the approved rooflights at 1 Blakes Close no details are provided concerning their precise siting. Notwithstanding this, having regard to the orientation of the buildings I am satisfied that any roof lights would receive good levels of daylight and sunlight, as would the main windows in the front and rear elevations of the approved extension.
22. I conclude on the second main issue that the proposal would unacceptably harm the living conditions of the occupiers of Amberley Cottage, due to its overbearing visual impact. It would therefore conflict with LP Policies 22 & 32

Other matters

23. The Council has expressed concern regarding various elements of the design of the resultant dwelling, including the use of render, that the fenestration is poorly co-ordinated and that the dwelling would have an uncharacteristic vertical emphasis. I share these concerns. Consequently, had I found in favour of the appellant in relation to the main issues, I would have sought the views of the main parties to establish whether they are matters that could reasonably be dealt with by condition.

Conclusion

24. The conclusions on both main issues amount to compelling reasons for dismissing this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR