



Appeal Decision

Site visit made on 28 July 2022

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 16th August 2022

Appeal Ref: APP/L3625/D/22/3294074

1 Heron Cottages, The Frenches, Redhill, Surrey, RH1 2GG

- 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 and Mrs Ghulam against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/02683/HHOLD, dated 9 October 2021, was refused by notice dated 25 January 2022.
 - The development proposed is a first floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension at 1 Heron Cottages, The Frenches, Redhill, Surrey, RH1 2GG in accordance with the terms of the application, Ref 21/02683/HHOLD, dated 9 October 2021, 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, drawings numbered: 4118/E/01, 4118/E/02, 4118/01/A, Location Plan dated 20 May 2021 and Block Plan scale 1:500.
 - 4) The proposed rooflight to the rear roof slope of the addition hereby permitted shall have a cill height of a minimum of 1.7 metres above finished floor level in the room in which it is installed, and the cill height shall be maintained at all times.

Main Issue

2. I consider the main issue to be the effect of the proposal on the living conditions of the occupiers of numbers 2 and 3 The Frenches in terms of its potential to result in an overbearing and oppressive outlook.

Reasons

3. The appeal property, 1 Heron Cottages, is a two-storey semi-detached house with roof space accommodation. The dwelling is part of a small infill

development of semi-detached houses positioned, to north and side on to the detached houses facing onto the Frenches.

4. It has, what appears to be a former garage (now a kitchen with garden store) attached to the side elevation of the house and set well back from the access road façade. The appellants propose the construction of what is identified on the plan as a study over this single storey element, accessed from the master bedroom suite.
5. The roof of the proposed first floor addition would be a gable roof to match the main dwelling, but with the eaves line set below that of the main roof. The new extension would be tile hung, which would serve to break up the visual mass of the new flank wall. Accordingly, the extension would appear as a well-mannered subservient addition to the main house.
6. The new room would have a window facing the access road and a high-level roof light in the rear roof slope.
7. The Council have found that the proposed addition would have no impact on number 13 The Frenches in terms of overshadowing or appearing overbearing. From what I have seen and read I would not form a contrary view. There is however the potential for overlooking leading to a loss of privacy from the proposed roof window in the rear roof slope. However, subject to the height of its cill, a matter that could, in the event that I allow the appeal, be conditioned, this concern can be addressed.
8. The proposed first floor extension would serve to bring the development closer to the rear of numbers 2 and 3 The Frenches. From the evidence I understand that the extension would nevertheless still be some 2.3 metres from the common boundary to numbers 2 and 3. Which in turn have rear gardens of some 7.0 metres or so deep.
9. Given the location of the proposed extension to the north of numbers 2 and 3 and the separation distance it would not result in the loss of sunlight, daylight or cause overshadowing.
10. Furthermore, on balance given the overall height of the new flank wall and the introduction of tile hanging to break up the visual mass of the wall I do not consider that the new wall would appear so overbearing as to be oppressive on the outlook of occupiers of number 2 and 3 as to cause harm to their living conditions.
11. I conclude in respect of the main issue that the proposed first floor extension would not cause harm to the living conditions of the occupiers of numbers 2 and 3 The Frenches in terms of its potential to result in an overbearing and oppressive outlook. The development would thereby accord with the aims of Policy DES1 of the Reigate and Banstead Development Management Plan (Adopted September 2019), Policy CS4 of the Reigate and Banstead Local Plan Core Strategy (Adopted July 2014) and the Supplementary Planning Guidance-Householder Extensions and Alterations (Adopted March 2004) as they seek to protect residential living conditions.

Conditions

12. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
13. I will also condition the height of the cill of the rooflight to the rear elevation to ensure that it does not result in overlooking or loss of privacy to neighbouring residential occupiers.
14. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR