



Appeal Decision

Site visit made on 16 August 2022

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 13 September 2022

Appeal Ref: APP/M3645/D/22/3299959

28 Stanstead Road, Caterham, Surrey, CR3 6AA.

- 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 William Fucilla against the decision of Tandridge District Council.
 - The application Ref TA/2021/1866, dated 22 October 2022, was refused by notice dated 18 March 2022.
 - The development proposed is demolition of existing roof and erection of two storey front extension, installation of new roof with dormer extension and loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing roof and erection of two storey front extension, installation of new roof with dormer extension and loft conversion at 28 Stanstead Road, Caterham, Surrey, CR3 6AA in accordance with the terms of the application, Ref TA/2021/1866, dated 22 October 2022, 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: P9220-00A, 01A, 02C and OS

Main Issue

2. I consider the main issue to be whether the proposed development would harm the living conditions of neighbouring occupiers in terms of its potential to both overshadow and appear overbearing.

Reasons

3. The appeal property, 28 Stanstead Road, is a two-storey detached dwelling. The surrounding area generally comprises an eclectic mix of large, detached dwellings set in substantial garden plots.

4. The appellant proposes a two-storey front extension, new roof and rear dormer to provide loft space accommodation at second floor level.
5. The appeal property is built hard up to the boundary to number 30. Due to the staggered layout of the dwellings here number 30 is set closer to the road than the appeal property. Therefore, the existing bedroom over the garage already overshadows a small part the outdoor private amenity space directly behind number 30. However, given the orientation of the properties this would only be for a limited part of the day and for only part of the year.
6. The Council is concerned that the proposed front extension combined with raising the roof behind would significantly increase the harm by reason of overshadowing of the neighbour's amenity space so as to become overbearing.
7. The two-storey front extension would infill the small gap between the houses. Nevertheless, as the roof of the extension and the enlarged roof would slope away from the boundary to number 30 I do not believe the proposal would significantly increase overshadowing or appear more overbearing as feared by the Council.
8. The Council have also raised concerns relating to the impact on the light to a secondary bedroom window in the flank wall of number 30 facing the appeal site. Given the separation distance between the flank walls of the two dwellings and as the new enlarged roof would slope away from the existing eaves line I am not persuaded that the development would have a material impact on natural light to the window.
9. For the above reasons I conclude that the proposed development would not harm the living conditions of neighbouring occupiers of number 30, in terms of its potential to overshadow, appear overbearing or result in loss of light. It would therefore accord with the aims of Policy DP7 of the Tandridge Local Plan: Part2 – detailed Policies 2014-2029 (Adopted July 2014), Policy CSP18 of the Tandridge District Core Strategy (Adopted 15 October 2008), as they relate to, along with other things, the protection of residential living conditions.

Conditions

10. 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.
11. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

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

Philip Willmer

INSPECTOR