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# Appeal Decision

Site visit made on 29 November 2022

**by G Sylvester BSc (Hons) MSc MRTPI**

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

**Decision date: 24<sup>th</sup> February 2023**

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**Appeal Ref: APP/L3625/W/21/3289827**

**9 Brighton Road, Redhill RH1 6PP**

- 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 Alpesh Patel against the decision of Reigate and Banstead Borough Council.
  - The application Ref 21/01818/F, dated 13 July 2021, was refused by notice dated 4 October 2021.
  - The development proposed is for a loft conversion involving construction of twin dormer windows, internal modifications of existing first floor flat and installation of x2 skylight windows to front roof slope.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) in July 2021. All references to the Framework in this decision relate to the updated document.
3. The appellant's concerns over the handling of the planning application by the Council are not for me to resolve and they do not affect my assessment of the planning merits of the proposal.

## Main Issues

4. The main issues are the effect of the proposed development on:
  - the character and appearance of the host property and area; and
  - the living conditions of the occupiers of Nos 3A-E Garlands Road, with particular regard to privacy.

## Reasons

### *Character and appearance*

5. The appellant has provided a number of images of dormer roof enlargements said to have been granted planning permission by local planning authorities across the country. However, from the limited information before me I am unable to determine whether they are directly comparable to the appeal proposal, and I have dealt with the appeal on its own planning merits.
6. The appeal property is a period style mid terraced building within a row of similar style buildings fronting Brighton Road. Although the area has a mixed

urban character with residential and commercial buildings of varying scales and designs, the terrace has retained a sense of uniformity to its appearance. The terrace has a consistent main roof form and a regular pattern of subservient rear projecting outriggers, which are visible in elevated views from Grovehill Road, and across nearby properties.

7. In this respect, the appeal property contributes positively to the uniformity of the terrace's roofscape in the street scene.
8. The proposed development is for a mansard style roof extension to provide a studio flat. The proposal would cover most of the property's rear and side facing roof slopes, adding significant bulk to its roof and markedly increasing the height of its rear outrigger. It would disrupt the shape of the appeal property's roof within the terrace and unbalance the distinctive pattern of rear projecting outriggers to the terrace. As such, the appeal proposal would constitute an incongruous addition to the roof of the property and the roofscape of the wider terrace, eroding its uniformity of appearance in views from Grovehill Road. The use of matching materials and the retention of the chimney stack would not be adequate mitigation.
9. For these reasons, I conclude that the proposed development would harm the character and appearance of the appeal property and the area, contrary to Policy DES1 of the Reigate & Banstead Local Plan – Development Management Plan (Adopted September 2019) (DMP), which requires development to make a positive contribution to the character and appearance of its surroundings, including through having due regard to its scale and massing, and the form of roofscapes in the surrounding area.
10. For similar reasons, the proposed development would conflict with Paragraph 130 of the Framework, which states that planning decisions should ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment, amongst other objectives.
11. Furthermore, it would be contrary to the guidance in the Reigate and Banstead Borough Council Supplementary Planning Guidance - Householder Extensions & Alterations (2004), which refers to dormer roof enlargements being designed to be in-keeping with the appearance of the main property.

*Living conditions of the occupiers of Nos 3A-E Garlands Road*

12. The appeal property occupies land at a lower level than the flat block containing Nos 3A-E Garlands Road. The height of the proposed rear facing second floor window serving the studio flat would be broadly equivalent to the first floor level of the flat block. A distance of some 12 metres would separate this window from the rear boundary of the appeal site, abutting the flat block. Furthermore, the proposed mansard style roof addition over the rear outrigger would limit the field of vision for future occupiers looking out of this window.
13. The rear gardens of the flats directly behind the appeal site are relatively short and the proposed second floor window is relatively large. However, given the angles of vision from this window and towards the rear windows and gardens serving the flat block, and the viewing distances involved, I find that a loss of privacy due to overlooking would be limited. Furthermore, the relationship between the proposed development and the flat block would not be unexpected in this dense urban area.

14. For these reasons, I conclude that the proposed development would not harm the living conditions of nearby occupiers with particular regard to privacy. As such, it would comply with Policy DES1 of the DMP, which requires development to avoid adverse impacts on the living conditions of occupiers of nearby buildings, including through overlooking and loss of privacy.

**Other Matters**

15. I acknowledge that the proposal would result in the creation of an additional residential unit. However this does not outweigh the harm that I have found above.

**Conclusion**

16. For the reasons given above, I conclude that the appeal should be dismissed.

*G Sylvester*

INSPECTOR