
Appeal Decision

Site visit made on 11 July 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st July 2023

Appeal Ref: APP/C3620/D/23/3320939

Pleystowe House, West Wing, Rusper Road, Capel, Surrey, RH5 5HE

- 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 Richard Simpson (ABM Building Services Limited) against the decision of Mole Valley District Council.
 - The application Ref. MO/2022/2063/PLAH, dated 6 December 2022, was refused by notice dated 1 February 2023.
 - The development proposed is side elevation single storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development and the site address in the heading above have been taken from the planning application form. In Parts D and E of the appeal form, slightly different information has been entered, but as the parties have not provided written confirmation that a revised address and description of development have been agreed I have used those given in the original application.

Main Issues

3. The main issues are the effect of the proposal on (1) the living conditions of neighbouring residents, with particular reference to outlook and the potential for overshadowing; and (2) the character and appearance of the dwelling.

Reasons

Living Conditions

4. The appeal dwelling comprises one wing of a former manor house, and fronts onto the driveway to the housing complex. However, the orientation of the attached 'East Wing' means that the rear of that property is next to the side elevation of West Wing.
5. The appeal property has an existing two-storey bay which projects slightly beyond the rear-facing windows of East Wing. The proposal would result in a 4m deep projection at the shared boundary, with a chamfered bay beyond. The appellant advises that the proposal seeks to match the internal floor-to-ceiling

height of the main dwelling, which is over 3m, and the top of the parapet wall above ground level would be 3.94m¹. This is significantly higher than the existing fencing with trellis between West Wing and East Wing.

6. East Wing has two rear-facing windows which serve an open plan kitchen and living area; photographs submitted as part of a representation on the application indicate that the smaller of the two windows, furthest from the appeal site, serves the kitchen. The parties agree that the closest window would fall within the '45-degree' area which the Council applies to assess the impact of a projection on neighbouring windows. However, this 'rule' is guidance only and not applicable in all circumstances.
7. As the closest and largest window in the rear elevation of East Wing serves a habitable room I am not persuaded that the presence of a second, smaller window would mitigate the effect of an extension of the size and position proposed. As a result of its height, depth and proximity, the extension would appear dominant and overbearing to the detriment of the outlook from the open plan living area of East Wing. Whilst I note the appellant's view that outlook from this window is already restricted by the existing bay window, boundary fence and vegetation, I consider the effect of the proposal would be materially greater.
8. The rear of East Wing is south-facing and the property benefits from a large garden. Nevertheless, due to the height, depth and proximity of the proposed extension, overshadowing of a habitable room would result for a significant part of the day.
9. I therefore conclude that the proposal would diminish the outlook from, and cause overshadowing to, East Wing to an extent that the living conditions of current and future occupants of that property would be harmed. This would conflict with Policy ENV22 of the Mole Valley Local Plan 2000 (LP), which amongst other criteria seeks to ensure that development does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overshadowing or overpowering effect.

Character and Appearance

10. Pleystowe House has been widely extended over the years, resulting in a different appearance to each of the dwellings within the former manor house. Although there is cohesion as a result of materials and some detailing, each wing appears to have its own character.
11. The design of the proposed extension would respect the existing two-storey bay to which it would be attached. To appear integrated with the host dwelling, it would match the existing floor-to-ceiling heights. I do not share the Council's opposition to the parapet flat-roof style, as its simplicity would ensure that the appearance of the existing first-floor would not be compromised; a pitched roof introduced at this point would likely interfere with the existing first-floor windows and/or tile hanging, or appear awkward relative to the existing bays.
12. I note the Council's Design Guidance for House Extensions advises that extensions visible from a public area should normally have pitched roofs. However, in this case the extension would have minimal visual impact on the street scene. Pleystowe House is set some distance back from Rusper Road

¹ ABM Build Planning Statement, paragraph 1.2

behind dense roadside planting which screens most views of the building. There are no roadside footways and public rights of way in the area are sufficiently distant to avoid the extension having a material visual impact. The public views would therefore be limited to the communal access drive in front of the housing complex. I accept that the current garden hedge within the site may be compromised, but as the extension would be well designed in itself it would not result in any visual harm or undue prominence.

13. I therefore conclude that the proposal would be acceptable in its effect on the character and appearance of the dwelling and the area. In combination with the use of matching materials, the character and style of the existing property would be retained in accordance with LP Policy ENV32, and would accord with the design criteria of LP Policy ENV22. It would not result in a disproportionate addition over and above the size of the original dwelling, nor detract from its character and appearance or the rural character of the area, as required by LP Policy RUD7. However, despite my assessment of the design merits of the proposal, this does not alter my conclusion of harm on the first main issue.

Other Matters

14. The appellant has outlined the purpose of the additional accommodation. I appreciate that the proposal would provide enhanced accommodation for the occupants, but as this would be at the expense of the living conditions of neighbouring residents, the need would not outweigh the harm identified.
15. In view of the position of existing windows at the appeal property, and the single storey design, I share the Council's view that the proposal would not unduly impact upon the privacy of the neighbouring property.
16. I am mindful that the Parish Council supported the proposal, but I have also taken into account the comments of neighbouring residents more directly affected by the proposal.

Conclusion

17. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR