



Appeal Decision

Site visit made on 30 January 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2024

Appeal Ref: APP/M3645/D/23/3328898

13 Peter Avenue, Oxted, Surrey, RH8 9LG

- 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 Adam Newland against the decision of Tandridge District Council.
 - The application Ref TA/2023/196, dated 15 February 2023, was refused by notice dated 21 June 2023.
 - The development proposed is described as 'proposed loft conversion with internal alterations and rear single storey extension and front porch.'
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

Reasons

3. The appeal concerns a two-storey detached dwelling, located in a road comprising of individually designed detached houses which are spaciouly sited within large plots.
4. The Council has raised no objection to the single storey rear extension and the small front porch extension. I concur that these extensions are designed to be in keeping with the character and appearance of the host dwelling and are of an acceptable scale and appearance.
5. The proposed loft conversion would involve a hip to gable extension on the eastern side of the dwelling. The existing hip roof is fairly steep and the proposed conversion to a gable end would not add significantly to the length of the ridge of the dwelling and accordingly, I am satisfied that it would, on its own, not be viewed as a bulky addition.
6. The extension on the western side of the dwelling would replace existing flat roof dormers on this elevation with a full first floor side extension. I can see some benefit in removing the existing dormers which do not add positively to the character and appearance of the dwelling or the street scene. The proposed first floor extension would have the same ridge height as the host dwelling and would introduce a gable on the western elevation of the dwelling.

7. Whilst the extension would add to the bulk and mass of the dwelling, even in combination with the hip to gable extension on its eastern side, the resultant dwelling would be commensurate in size with others in the immediate locality. I acknowledge that the dwelling is highly visible in the street scene, however, there are generous gaps between it and the adjacent dwellings on either side. I therefore conclude that the proposed hip to gable and first floor side extensions would not result in the dwelling appearing cramped in relation to its plot or in relation to the adjacent dwellings. Thus, I find that these extensions would not be harmful to the character and appearance of the existing dwelling and would not detract from the spacious character and appearance of the street scene.
8. The proposal also involves a large dormer across the rear elevation of the dwelling. The dormer would not be set down from the ridge of the dwelling and would only be set up from the eaves by a small amount. Furthermore, the dormer would extend across almost the full width of the dwelling as proposed to be extended, with only a marginal set in from the side elevations. Whilst the dormer would be intersected by the existing rear gable, it would, nonetheless, appear as a highly dominant addition to the dwelling. The dominance of the dormer would also be exacerbated in my view by the proposed full length windows which are wider than the first floor windows below and would add to the 'top heavy' appearance of the proposed development.
9. I therefore conclude that the proposed dormer would be a highly dominant, incongruous addition to the existing dwelling which would be harmful to its character and appearance. Furthermore, the proposed dormer would be visible in the street scene where, due to its equivalent height and lack of set in from the flank elevations of the dwelling, it would appear as a bulky 'box like' addition to the roof of the dwelling which would be harmful to the prevailing character and appearance of the surrounding area.
10. I acknowledge that in some circumstances loft conversions including rear dormers can be constructed under permitted development rights¹. I have not been made aware of any Lawful Development Certificates in relation to the appeal proposal. Furthermore, where subject to planning permission, such extensions fall to be considered against the relevant development plan policies.
11. The appellant has referred to several dwellings in Peter Avenue and in nearby Wheeler Avenue, which display gable features or dormers. As set out above, I have not identified any specific harm in relation to the hip to gable extension or the proposed first floor side extension. With regard to the rear dormer, many of the examples provided are for different forms and designs of dormer extensions and are not directly relevant to the appeal proposal.
12. I have considered the approved extensions to 24 Wheeler Avenue which included a large dormer on its the rear elevation which has since been implemented. However, whilst this dormer is clearly visible in the street scene, it is set down from the ridge of the dwelling and in my view is more subservient in appearance than the dormer before me. In any event, I am required to determine the appeal on its own merits.
13. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the existing dwelling and the surrounding area. Thus, it would be contrary to Policy CP18 of the Tandridge

¹ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

District Core Strategy (adopted 15 October 2008) and Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 – 2029 (adopted July 2014). These policies (amongst other things) expect new development to be of a high quality design which reflects and respects the existing character, setting and local context. It would also be contrary to the National Planning Policy Framework (2023) insofar as it seeks high quality design.

Conclusion

14. For the above reasons I conclude that the appeal should be dismissed.

J Davis

INSPECTOR