



Appeal Decision

Site visit made on 22 August 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2024

Appeal Ref: APP/M3645/D/24/3347320

13 Matlock Road, Caterham CR3 5HP

- 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 & Mrs Gould against the decision of Tandridge District Council.
 - The application reference is TA/2023/1481.
 - The proposed development is for a rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a rear extension at 13 Matlock Road, Caterham CR3 5HP in accordance with the terms of the application reference TA/2023/1481 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 development hereby permitted shall be carried out in accordance with the following approved plans: D223-A01A , D223-A04C, D223-A05C.

3) 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.

4) The decking hereby permitted shall not be first used until the privacy screens shall have been completed in accordance with details shown on drawing no. D223-A05C. The privacy screen shall thereafter be retained as such thereafter.

5) Any part of the ground floor side facing window shown on the plans hereby approved that is below a height of 1.7 metres above the finished floor level of the room served by that window (and any subsequent replacement of this window) shall be fitted with obscure glass (Pilkington Glass level 3 or above, or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

6) The side facing rooflights shown that would serve Bedroom 03 (as labelled on plan D223-A04C) (and any subsequent replacement of those rooflights) shall be fitted with obscure glass (Pilkington Glass level 3 or above, or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Main Issues

2. The main issues are the impact of the development on a) the character and appearance of the existing dwelling and the surrounding area; and b) the living conditions of the occupiers of neighbouring properties with regard to light, privacy and overbearing impact.

Reasons

Character and appearance

3. The appeal site comprises a detached chalet dwelling on Matlock Road with off-street parking on a driveway to the front. The local area is broadly residential in nature.
4. My attention is drawn to a previous application approved by the Council under reference TA/2022/689 that granted a single storey rear extension; I saw at my visit that this has been completed. To all intents and purposes, this appeal scheme proposes a first floor element above, which would not exceed the rearward projection of the approved addition. The new element would be set in from the flank boundaries, with a width of approximately 3.9 metres.
5. The scheme would be set within the body of the rear elevation and the pitched roof would be commensurate with the shape and form of the host dwelling. The projection is relatively modest, with the centralised position serving to balance the proposal and provide a sense of articulation to either side. As such, the appeal proposal would visually connect with the overall appearance of the host dwelling, without dominating it, and respond to the original design characteristics.
6. Being at the rear, the development would have limited views from the public domain and as such there would be minimal impacts on the wider locality. Taken in the round, I am satisfied that the proposals would integrate with the house without being imposing or resulting in a contrived design solution.
7. I conclude that the proposed development would harmonise with the character and appearance of the existing dwelling and the surrounding area. It would meet with Policy CSP18 of the Tandridge District Core Strategy 2008 (CS), Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 (LP) and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 (NP). These policies collectively seek to ensure that new development integrates effectively with its surroundings, respecting the character, setting and the local context. It would also be consistent with the advice in the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Living conditions

8. The block plan demonstrates that the rear elevations and gardens of the appeal site and those to either side offer a broadly north-westerly aspect. The amount of light reaching the rear windows and patio areas of the neighbouring units is already constrained by the location of the existing appeal residence relative to the path of the sun, and I consider that the proposal would not exacerbate this.
9. At my site visit I was able to closely examine the relationships with surrounding properties. There is first floor window in the rear facing gable end of the appeal

house, which already affords a degree of overlooking of the patios and gardens of the adjoining properties. To my mind the scheme would not materially increase any privacy loss above and over this present situation.

10. I appreciate that the development would be substantially higher than the existing border fences to either side and note the change in land levels. However, given the distance from the flank walls to the boundaries and the comparatively modest rearward projection, I am satisfied that the proposal would not have an unduly oppressive or intrusive effect on the occupants of nos. 11 and 15. Even when viewed through the ground floor openings and from the patio areas, the first floor element is unlikely to result in a sense of confinement or enclosure sufficient to harm living conditions. In a row of dwellings such as this, it would clearly not be unusual to be able to see the built form of other houses from the windows of internal rooms and garden spaces.
11. I find that there would be no adverse impacts upon the living conditions of the occupiers of neighbouring properties with regard to light, privacy and overbearing impact. There would be compliance with Policy CSP18 of the CS, Policy DP7 of the LP and Policies CCW4 and CCW5 of the NP in relation to the protection of amenity.

Conditions

12. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.
13. The installation of privacy screens as per the plans and obscure glazing to the side windows and rooflights below 1.7m sill height would protect the living conditions of the occupants of the adjacent dwellings.

Conclusion

14. Having regard to all matters put forward and my reasoning above, I allow the appeal.

C Hall

INSPECTOR