



Appeal Decision

Site visit made on 28 August 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2024

Appeal Ref: APP/Y3615/D/24/3345645

**Oak Tree Corner, Silkmore Lane, West Horsley, Leatherhead
KT24 6JB**

- 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 Dee Pathak against the decision of Guildford Borough Council.
 - The application Ref 24/P/00416.
 - The development proposed is a front porch, single storey side and rear extensions, raising the roof including five dormers and seven rooflights, and changes to fenestration.
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Decision

1. The appeal is allowed, and planning permission is granted for a front porch, single storey side and rear extensions, raising the roof including five dormers and seven rooflights, and changes to fenestration at Oak Tree Corner, Silkmore Lane, West Horsley, Leatherhead KT24 6JB in accordance with the terms of the application, Ref 24/P/00416 and the plans submitted with it, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The detached bungalow occupies a triangular plot bound by Silkmore Lane to the west and The Street to the east. The pale orange brick property has a simple form with a shallow-pitched roof. As such Oak Tree Corner has a limited height and there is a spacious and verdant appearance with a mature oak tree beyond the site to the road junction.
4. The properties along the eastern side of Silkmore Lane gradually increase in height with the immediate neighbour, Cope Cottage a chalet bungalow, followed by a two-storey house at Little Orchard. However, overall, there is variety in the form and style of properties to Silkmore Lane which has a mixed character. Whilst there are other bungalows these are not the prevailing form and are interspersed between the predominant properties with accommodation over two floors.
5. Altering the shape and height of the roof the proposal would result in a chalet-style property with dormer windows. There would be a notable increase to the height, however the hipped roof form limits the bulk and the extensions to the

- side and rear would be single-storey. Space would be maintained to the side, and the property is well screened from the rear and the road junction by vegetation.
6. An appeal was dismissed last year for alterations to create a two-storey house (appeal reference APP/3614/D/23/3329202) which was found to be harmful to the character and appearance of the host dwelling and the surrounding area. While the footprint appears to be very similar, the proposed chalet design would not have the same visual presence. The lower eaves line, individual dormers, and the different roof planes of the side elements reduce and break up the massing. Specific features such as the large porch surround have been removed and with the light grey render limited to the ground floor, it would not be overly prominent under the expanse of clay tiled roof.
 7. I concur with the appellant's assessment of the previous appeal decision that the main concerns related to the bulk and width to the first floor. The proposal would substantially change the appearance of the property and there would be an increase in height and scale. However, the existing property is not of any architectural merit, and I do not find that the proposed design would be out of keeping or overly prominent.
 8. While Cope Cottage, and Field End (opposite), present a flank elevation to Silkmore Lane this is not a consistent pattern and there is variation in the massing to the road. In particular, the nearby properties along the Street have a similar width to the appeal property. Through the design and roof form of the proposal, I find that the spaciousness of the junction and the end of Silkmore Lane would be retained. The property is positioned close to the rear boundary, but the depth is not to be increased, and the infill section would have a flat roof. From The Street the site is screened by hedging, and glimpses of roofs above and through vegetation is part of the semi-rural character of the area.
 9. The Council also raise concerns regarding the siting of the dormer windows. The Council's Residential Extensions and Alterations Supplementary Planning Document 2018 (SPD) provides guidance seeking to ensure that dormer window additions are sympathetic. The design considerations include reference to scale and positioning, although there is no specific requirement regarding the alignment with the eaves line. Dormer windows, including to the front, are an existing feature of the area and vary in scale and form. The proposed small, pitched roof dormers are proportionate to the roof, and in my view, the low positioning limits their prominence and the overall bulk to the first-floor level. The front dormers are not inset from the edge of the roof, but there is cohesion to the proposed alterations to Oak Tree Corner and, in isolation, I do not find that aspect objectionable.
 10. Inevitably, the addition of a first floor would consume and change the original appearance of the bungalow. The resultant property would have a greater presence, nonetheless, I do not find that the proposal would overly dominate the plot or be significantly obtrusive to harm the street scene.
 11. In conclusion, I find that the proposed development would not be harmful to the character and appearance of the area. As such it would accord with policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034, policies D4 and H4 of the Guildford Borough Local Plan: Development Management Policies (2023) and policy WH2 of the West Horsley Neighbourhood Plan. Collectively, and amongst other things, these policies require a high-quality

design that responds to the local character, and for extensions to have regard to the existing context and the scale, height, character, materials and proportion of the existing building. I also find no conflict with the objectives of the SPD or the National Planning Policy Framework which seek high-quality design.

Other Matters

12. The Council have found that this proposal would accord with West Horsley Neighbourhood Plan policy WH4 as there would be no net increase in the number of bedrooms. Whilst the property would increase in size there is no specific evidence which leads me to take a different view.

Conditions and Conclusion

13. I have imposed the standard time condition and a plans condition for certainty. While the proposed development would not directly interfere with any trees a condition is required to ensure their protection during construction.
14. The Council have also suggested a condition removing permitted development rights. The Planning Practice Guidance advises that the blanket removal of such provisions is unlikely to meet the tests for conditions. Additionally, the plot is bound by roads and the property is close to the boundaries therefore the scope for large additions is limited. However, having regard to the matters raised in this appeal, I agree that further alterations to the roof could be harmful, and therefore, I find the removal of classes B and C to be reasonable and necessary.

Conclusion

15. For the reasons set out and having regard to all other matters raised the appeal is allowed

G Ellis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:- OTC / 121 Rev P1 – Location and site plans, OTC / 124 Rev P1 – Block, roof, existing floor and elevation plans and OTC / 125 Rev P1 – Proposed roof, floor and elevation plans.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes B and C shall be carried out within the curtilage of the dwellinghouse.
- 4) All the trees and hedges shown on the block plan – OTC/124 Rev P1 and/or any trees whose canopies overhang the site shall be protected by strong

fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.