



Appeal Decision

Site visit made on 13 December 2024

By N Perrins MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2025

Appeal Ref: APP/C3620/D/24/3353626

24 Beresford Road, Dorking, Surrey RH4 2DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Diana Liyanage against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/0837/PLAH
 - The development proposed is the erection of a single storey rear extension with pitched tiled roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published in December 2024. The updated Framework does not raise any new matters that are determinative to the outcome of this appeal.
3. I have used the description of development from the Council's decision notice in the header above as it more succinctly describes the appeal proposal before me.
4. The Mole Valley Local Plan 2020-2039 (LP 2039) was adopted by the Council on 24 October 2024 and replaced the previous development plan that was in effect on the date when the planning application subject of this appeal was determined. The former development plan policies referred to in the decision notice CS14, ENV22 and ENV32 are no longer in force or determinative to this appeal. The relevant policy for this appeal within the LP 2039 is Policy EN4, which covers matters relating to character and residential amenity.

Main Issue

5. The main issue is the effect of the proposal on (i) the character and appearance of the host dwelling and wider area, and (ii) the living conditions of the adjacent property No 23 Beresford Road.

Reasons

Character and appearance

6. The appeal site is a two-storey semi-detached dwelling located in a triangular shaped corner plot. Due to the site's shape, the rear garden increases in width as it extends out from the host property. There is a public footpath running alongside the property's side and rear garden. There is a fence along the boundary between the

garden and adjacent public footpath. The character of the area is residential comprising mainly semi-detached and terraced dwellings.

7. Policy EN4 of the LP 2039 requires that all new development must be high-quality design that makes a positive contribution to local character. The proposal in this case would erect a single storey rear extension with a pitched roof. The footprint of the proposal would have a rectangular layout and extend into the garden area beyond the side and rear wall. A gap would be retained between the extension and the common boundary with the neighbouring property, No 23. The extension would be around 6m in depth, 8.6m wide with a height up to the roof pitch around 3.95m.
8. The extension would, however, create a substantial and disproportionate addition to the dwelling due to its footprint being larger than the host property. The proposed pitched roof would then exacerbate the excessive scale of the extension and create an overly large development that would dominate, and not read as a sympathetic addition to, the host property.
9. Furthermore, the pitch of the roof would be different to that of the host property. The difference in roof form along with the size and positioning within the plot would result in the extension appearing as an incongruous development that would not integrate successfully with the scale, form and appearance of the host property or make a positive contribution to the character of the area.
10. I acknowledge the appellant's point that there is a difference between the public and private realms, including gardens, in the area. However, due to the width of the proposal and height arising from the pitched roof, the proposal would be prominently visible and perceptible from both the street scene and the adjacent public footpath. Whilst a comparatively localised impact, this prominence would look incongruous and out of place with the generally understated character of the immediate street scene and views of garden areas to the rear of properties. The fact that the garden area is comparatively spacious does not justify the visual impacts that would arise from the proposal's discordant scale and roof form.
11. I find, therefore, that the proposal would unacceptably detract from the appearance of the dwelling and the overall character of the area due to its excessive footprint, height and discordant roof design. The proposed materials to match are, however, acceptable, albeit this does not justify the harm identified.
12. I have considered the appellant's personal circumstances set out in the information before me. Whilst I am sympathetic to this, they do not outweigh the harm I have identified. The reason being is that they do not sufficiently justify why they necessitate the amount of floorspace or scale, height and incongruous pitched roof, which as identified above would result in a development that would not assimilate positively with the dwelling or the character and appearance of the area.
13. To conclude, the development does not accord with Policy EN4 of the LP 2039, which requires development to make a positive contribution to local character and be of an appropriate scale, height, massing, proportion and form. The proposal would also not meet the requirements of Paragraph 135 of the Framework for development to be visually attractive and sympathetic to local character.

Living conditions

14. The Council are concerned that the proposal would be overbearing and result in the loss of light to the neighbouring property No 23. As observed on my site inspection and from the submitted plans, there would be a gap retained between the proposal and common boundary. I consider that the proposed gap along with the size of garden space in the adjoining property would ensure that the proposal would not be overbearing to the extent it would result in material planning harm to the amenities of neighbouring occupants using their garden.
15. With regard to the impact on No 23's levels of light, the Council contend that the pitched roof would not accord with the 45 and 25 degree angle tests that are standard practice when assessing such impacts. The Council's conclusions on these assessments are not disputed other than a reference to the impact would only affect a small proportion of the neighbouring occupant's passage of light. However, the evidence before me does clearly demonstrate what that proportionate impact would be. Therefore, it has not been adequately demonstrated that the proposal would have an acceptable impact on light to No 23.
16. As such, I cannot conclude that the proposal satisfies Policy EN4, which requires development to ensure the amenity of future occupiers is not significantly affected. The proposal would also not be consistent with Paragraph 135 of the Framework that requires development to, amongst other aspects, create places with a high standard of amenity for existing and future users.

Conclusion

17. For the reasons given above, and taking account of all material planning considerations, I conclude that the development does not accord with the development plan. I, therefore, dismiss the appeal.

N Perrins

INSPECTOR