



Appeal Decision

Site visit made on 23 June 2025 by R Pankhurst

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th July 2025

Appeal Ref: APP/M3645/D/25/3360227

51 Paddock Way, Hurst Green, Surrey, RH8 0LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant, subject to conditions, of approval granted under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr & Mrs Holdt against the decision of Tandridge District Council.
 - The application Ref is 2024/1268/NH
 - The development proposed is a single storey first floor extension.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a single storey first floor extension at 51 Paddock Way, Surrey, Hurst Green, RH8 0LG in accordance with the terms of the application, Ref 2024/1268/NH and the details submitted with it including plan 261-001-AA-100, 261-001-AA-110, 261-001-AA-200, 261-001-AA-111, 261-001-AA-210 pursuant to Article 3(1) and Schedule 2, Part 1, Class AA, paragraph AA.2 (3).

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Under Article 3 and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse by the construction of additional storeys, subject to specific limitations and conditions and a requirement that the developer applies for prior approval to the Local Planning Authority.
4. There is no dispute between the parties that the proposal would comply with the limitations in paragraph AA.1 and the conditions in paragraph AA.2. (2) of Class AA. There is also no dispute with regard to the prior approval matters in paragraph AA.2. (3)(a) (iii) or (iv). From the evidence before me I see no reason to disagree.
5. The appellants sought to submit a Daylight and Sunlight Assessment at appeal stage. The Procedural Guide: Planning appeals – England is clear that late evidence may be accepted where there is a change in circumstances and only if it

would be procedurally fair to all parties. In this case neither the Council nor interested parties have had the opportunity to comment on this evidence. Therefore, in the interests of fairness I have not taken this piece of evidence into account in my recommendation.

Main Issues

6. The areas of dispute relate to the prior approval matters in paragraph AA.2(3)(a)(i) and (ii). Therefore, the main issues are the effect of the proposal on the external appearance of the dwellinghouse and on the amenity of adjoining premises.

Reasons for the Recommendation

External Appearance

7. The appeal site relates to a detached bungalow. The surrounding area is residential and is characterised by a mix of single storey, split-level and two storey dwellings which are set back from the road with frontages and driveways, giving the area a pleasant, spacious and suburban character and appearance. While the bungalows share similar characteristics, they are not uniform, with differences in fenestration and some with dormer windows and/ or rooflights.
8. The proposed additional storey would increase the overall height and scale of the appeal property. However, the additional storey would not be a jarring addition to the street scene given the mixed character of the area, which already sees a two-storey dwelling next to a bungalow opposite the appeal site, and a split-level dwelling next door to the appeal site. In addition, the proposed additional storey would respect the external appearance of the original dwellinghouse through its use of matching materials and roof pitch.
9. I acknowledge that the dwelling one side of the appeal site is single storey. However, due to the upward incline at the end of Paddock Way the roof line of the properties in the immediate area increases as you go further along. In addition, as the neighbouring property 53 Paddock Way is on higher ground and split level, it appears larger in scale than the appeal site. In this context, the proposed additional storey would not look incongruous or an anomaly in the street scene and would not harm the external appearance of the dwellinghouse.
10. For the reasons above, the proposal would conform to the requirements and criteria of Article 3 and Schedule 2, Part 1, Class AA, paragraph AA.2. (3)(a)(ii) of the GDPO. The proposal would not result in harm to the external appearance of the dwellinghouse. Consequently, there would be no conflict with the National Planning Policy Framework (the Framework) which seeks planning decisions which ensure that developments are sympathetic to local character and history, including the built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Amenity of Adjoining Premises

11. The Council's concern is that the proposed additional storey would be overbearing and harm the outlook of the occupiers of 49 Paddock Way in particular. The occupiers of No 49 currently enjoy an open outlook across their garden from their rear windows and this would not change with the additional storey, as the two properties are roughly in line with one another. No 49's existing outlook from their rear garden is equally very open as there are currently bungalows on either side

and nothing above one storey in height. I accept that the outlook from the rear garden looking back towards their property would be altered because the proposal would be clearly visible. However, as the rear garden of No 49, like the appeal property, has an upward incline, and the remainder of the outlook from the garden would remain open, the proposal would not have an intrusive or overbearing visual impact on the outlook from No 49.

12. The orientation of 53 Paddock Way, the fact it is set further back in its plot and on higher ground means its existing outlook towards the appeal property is very limited and only from the front facing windows, where it is screened by a hedge along the shared boundary. The proposed additional storey does not include the garage which would remain single storey and therefore would maintain the separation between the new first floor and the shared boundary. Therefore, the proposed additional storey would not result in harm to the outlook of the occupiers of No 49 or No 53.
13. The occupiers of No 49 currently have a private rear garden and are not overlooked by neighbours either side or from the rear. I acknowledge that the additional storey will mean there will be some overlooking at first floor level towards the rear garden of No 49. However, this would be limited as there would be screening from the boundary fence and shrubs. Some level of overlooking is also not unusual in a residential context. I am therefore satisfied that the overlooking from the first-floor rear facing windows would not result in a significant or harmful reduction in privacy for the occupiers of No 49.
14. Given the orientation of No 53 in relation to the appeal property and the fact there would be no windows on the side elevation facing this neighbour, the additional storey would not result in a reduction in privacy for the occupiers of No 53.
15. The Shadow and Light Study submitted by the appellants shows that the patio area and rear windows of No 49 are partly shaded in the early morning by the existing dwelling and rear extension on that property, but that the rear of No 49 receives a good amount of sunlight throughout the rest of the day. The study shows that the additional storey would have a minimal impact on the amount of sunlight No 49 receives and would only affect a small part of the site for a short time in the morning. Consequently, the proposal would not result in a harmful reduction in light to that property.
16. Given the orientation of No 53 in relation to the appeal site, I am satisfied there would be no significant loss of sunlight or daylight as a result of the proposed additional storey.
17. The additional storey would not cause harm to the outlook or result in any loss of privacy for the occupiers of the property to the rear of the appeal site due to the large trees at the back of the appeal site which screen any views.
18. There have been concerns that the proposed additional storey would dominate views for properties opposite and block the views of the trees behind the appeal site. While I acknowledge these concerns, there is no right to a private view in planning terms. The outlook from these properties would remain of residential dwellings across a road, and the trees would still be seen around the enlarged dwelling. As a result, the proposal would not harmfully affect the outlook from properties opposite.

19. For the reasons above, the proposal would not harm the amenity of adjoining premises and would conform to the requirements and criteria of Article 3 and Schedule 2, Part 1, Class AA, paragraph AA.2. (3)(a)(i) of the GPDO. It would not therefore conflict with the Framework, which requires development to create a high standard of amenity for existing users.

Other Matters

20. Comments have been made by interested parties that in the event that prior approval is granted, this would set a precedent for allowing other bungalows in the surrounding area to add an additional storey. However, each such proposal would be considered on its individual merits in light of the specific site and case circumstances, which may well be different to those before me in this appeal.

Conditions

21. The development permitted by this appeal is subject to the conditions set out in Schedule 2, Part 1, Class AA, paragraph AA.2.(2) of the GPDO, which includes conditions for timescales and materials. Building in accordance with the approved details is specified as a procedural requirement in paragraph AA.3.(14) of Class AA.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

R Pankhurst

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is allowed subject to the conditions in Class AA of the GPDO. No further conditions are necessary in relation to the prior approval matters.

L McKay

INSPECTOR