



Appeal Decision

Site visit made on 16 July 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 July 2025

Appeal Ref: APP/P3610/D/25/3365486

212 Ruxley Lane, Epsom, KT19 9EZ

- 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 Mr Klisman Musaj against the decision of Epsom and Ewell Borough Council.
 - The application Ref is 25/00035/FLH
 - The development proposed is a single storey rear extension to replace existing extension, single storey side extension, and a loft conversion.
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Decision

1. The appeal is dismissed.

Main Issue

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

Preliminary Matter

3. At the time of my site visit, scaffolding was erected around the property, and the rear extension and dormer windows were under construction.

Reasons

4. No.212 Ruxley Lane is one half of a semi-detached bungalow and forms part of a group of bungalows located in the section from the junction with Jasmin Road up to No.206. However, the other properties along Ruxley Lane vary considerably in form and design, and it is also evident that many have been altered and extended.
5. The proposal would not change the height of the building but would significantly increase and alter the roofscape, extending to the side, changing the existing hipped form to a gable end and the addition of an 'L' shaped dormer to the rear.
6. Whilst there would be a change to the symmetry of the roof of the semi-detached pair, given the mixture of house types and architectural forms, there is no consistency or prevailing design aesthetic to Ruxley Lane. Thereby, the alterations to the front of the property would not be out of keeping or harmful to that street scene.
7. To the rear, the alterations would add significant bulk, and the large box-style dormer would consume the majority of the main roof with a notable rear projection. It would create a top-heavy form and would be out of scale with the original property. The design fails to accord with a number of the guidelines in relation to

the scale and placement of dormer windows as set out in the Council's Householder Applications: Supplementary Planning Guidance (SPG). The dormer would be offset from the ridge and eaves line, although this is limited and would not have any perceptible effect in significantly reducing the bulk or the visual coverage of the roofscape.

8. The rear of the appeal property is visible from Jasmin Road, seen over the boundary fencing. The large dormer would be a visually prominent and incongruous addition, which would be to the detriment of the character of the area. It would be seen in the context of the mixture of other properties, and would not be visible from Ruxley Lane, but this does not diminish the harm, and I did not observe any examples of additions of a similar scale and form in the locality.
9. It is suggested that the dormer addition could be permitted development. There is no lawful development certificate to support this position, and the Council indicates that the roof alterations would exceed the volumetric limitation of Class B¹. As such, and while acknowledging that permitted development rights allow for the provision of dormers and other roof alterations, there is no evidence to show that the exact same or a more harmful arrangement could be achieved through permitted development rights. Therefore, it does not provide a fallback to which I can give weight.
10. Overall, I find that the scale and form of the development would be harmful to the character and appearance of the host property and the surrounding area. Therefore, it would fail to accord with policy CS5 of the Core Strategy (2007), and policies DM9 and DM10 of the Development Management Document (2015), which together promote high-quality design, the enhancement of the townscape, respect for the street scene and regard to scale, form and massing. There would also be conflict with the SPG and the design provisions of the National Planning Policy Framework.

Other Matters

11. It is understood that this is a revised scheme and the Council's previous concerns regarding the front bay element have been successfully resolved. They have also raised no objection to the single-storey rear extension, which replaces a conservatory, and the proposal would accord with amenity and parking requirements. The compliance with the other policy requirements is, however, a neutral factor.
12. It is also recognised that the proposal would facilitate increased accommodation to the benefit of the occupiers. These aspects, however, do not outweigh the identified policy conflict, and there are no other considerations which indicate that the proposal should be considered other than in accordance with the development plan.
13. The appellant has also referred to some discrepancies in the officer's report and concerns with the assessment process. Notwithstanding this, the reason for refusal clearly identifies the Council's objection, and I have considered the proposal afresh.

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1

Conclusion

14. For the reasons set out, the appeal is dismissed.

G Ellis

INSPECTOR