

**Application:** 2023/1481  
**Location:** 13 Matlock Road, Caterham, Surrey CR3 5HP  
**Proposal:** Erection of double storey rear extension, extended rear gable with Juliette balcony and accessibility ramps to rear ground floor.  
**Ward:** Portley

**Decision Level: Planning Committee**

Constraints – Urban Area, D Class Road, Biggin Hill Safeguarding

**RECOMMENDATION:** **GRANT subject to conditions**

1. The planning application has been called to Planning Committee at the request of Councillor Chris Botten for the following reasons: the application may represent overdevelopment and be detrimental to the neighbours.

**Summary**

2. Planning permission is sought for two storey rear extension with extended rear gable and Juliette balcony and accessibility ramps to the rear ground floor level to 13 Matlock Road, Caterham an existing residential dwelling. The proposed development is considered to be acceptable in principle, visually acceptable and not harmful to residential amenity to a degree that would conflict with national and local planning Policies. The proposal is, therefore recommended for approval.

**Site Description**

3. The site comprises a two-storey detached chalet bungalow located on the north side of Matlock Road within the urban area of Caterham. The site is flat and can accommodate parking. The surrounding area is residential.
4. At the time of the most recent site visit, a rear extension to the dwelling was being built, akin to the approved development that is set out below.

**Relevant History**

5. The planning history of relevance to this site is:  
  
2022/689 - Erection of single storey rear extension incorporating front and rear accessible ramps and rails – Approved. This approval allows for the erection of a single storey rear extension that would measure 4 metres deep and 6 metres wide with a crown roof built to a maximum height of 3.5 metres.

**Key Issues**

6. The site is located within the Urban Area of Caterham where the principle of development is acceptable. The key issue is the impact the development would have on the character of the property and the surrounding area and the residential amenities of neighbouring properties.

**Proposal**

7. Planning permission is sought for the erection of rear extension incorporating an extended rear gable with a Juliette balcony. At ground floor, the rear

extension would have the same dimensions as was approved under the terms of application 2022/689 which are set out below.

8. The proposed first floor element of the extension would measure 4 metres deep and 3.9 metres wide, being set in from the side elevation that is adjacent to 11 Matlock Road by 2 metres. The overall height would match the height of the existing dwelling. The north west corner of the extension would be 'cut-off' but the roof of the extension would overhang the 'cut-off' element.
9. To the rear of the extension, the proposal would still include accessibility ramps as previously proposed but these would now lead to a raised platform that would sit between the ramps and the proposed extension. The raised platform would measure 6 metres wide and 1.8 metres deep and be set 0.6 metres above the shown ground level.
10. The plans have been amended since first being submitted to include a window to ground floor level which has been incorporated in the development that is being undertaken but was not shown on the approved plans. The plans have also been amended to show the Juliette balcony doors to be opening inwards rather than outwards. Moreover, a privacy screen is now shown to one side of the proposed raised platform.
11. The submitted plans also show an additional rooflight at each side of the proposed dwelling.

#### **Development Plan Policy**

12. Tandridge District Core Strategy 2008 – Policies CSP1 and CSP18
13. Tandridge Local Plan Part 2 – Detailed Policies 2014 – DP1 and DP7
14. Woldingham Neighbourhood Plan 2016 - not applicable
15. Limpsfield Neighbourhood Plan 2019 - not applicable
16. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – Policies CCW4 and CCW5

#### **Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance**

17. Surrey Design Guide (2002)

#### **National Advice**

18. National Planning Policy Framework (NPPF) (December 2023)
19. Planning Practice Guidance (PPG)
20. National Design Guide (2019)

#### **Statutory Consultation Responses**

21. County Highway Authority – As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a

material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.

22. Caterham-on-the-Hill Parish Council – Comments have been received as are set out below:

*“The application is for a two-storey rear extension with rear gable and Juliet balcony. Under application 2022/689 permission has been granted for a ground floor extension. Neighbours on both sides of this property (no’s 11 and 15) have grave concerns over the implications for their ability to enjoy their properties in the manner they have done for some years.*

*The neighbours at no 11, who attended our planning committee meeting, are particularly vulnerable since the proximity to their home is very close to the applicant. But for both complainants, the main objection is the overshadowing of their properties by the bulk of the second-floor addition. The rear of all three properties face North so that when the extension is built, no 11, in particular, will be deprived of morning light to the rear of their house; number 15 will be deprived of light on the left of their property in the afternoon.*

*Also of concern is the fenestration of the extension. New Velux windows inserted into the roof may be high but still pose an issue of privacy. It is a simple matter to be elevated to allow viewing or filming from windows, especially today when almost everyone has a mobile phone with a camera. While there are already existing Velux windows, another simply adds to the intrusive feel of the building for neighbours. Frosted glass allows light but preserves privacy.*

*The drawings indicate a Juliet balcony with outward opening doors with furniture placed close to the opening. A Juliet balcony must have inward opening doors with railings running flush to the external walls. However, including the balcony in any form will severely overlook both of the neighbour’s rear gardens. The furniture layout clearly shows an upper living room, with seating allowing long periods to overlook the adjacent properties. Our concern is that this will adversely affect the neighbour’s amenity and privacy.”*

### **Other Representations**

23. Third Party representations have been received which comment and object as follows –

- Concerns on loss of light
- Overshadowing and overbearing effect
- Juliet balcony doors opening outwards
- Loss of privacy
- Out of keeping with adjacent properties
- Close proximity of the decking area and ramp
- Difference in ground levels

## **Assessment**

### Procedural note

24. The Tandridge Development Plan is formed of Tandridge District Core Strategy 2008, Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Caterham, Chaldon & Whyteleafe Neighbourhood Plan 2021, Limsfield Neighbourhood Plan 2019 and Woldingham Neighbourhood Plan 2016, as well as the Surrey Waste and Minerals Plans . Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be taken in accordance with the Development Plan, unless there are material considerations that indicate otherwise.
25. The NPPF is a material consideration in planning decisions and its Policies have to be taken into account in dealing with applications from the day of its publication. It is important to note that even though the adopted Development Plan predates the publication of the most recent NPPF, the majority of Policies remain up to date. Policies will be given due weight in accordance with their degree of consistency with the NPPF (December 2023, paragraph 225).

### Location and principle of development

26. The application site lies within an Urban Area. The principle of new development would be acceptable provided that it would meet the relevant criteria regarding its design and appearance as assessed below. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. As such, there is no objection in principle to the location of the development and Core Strategy Policy CSP1 and Local Plan Policy DP1 in this regard.

### Character and Appearance

27. The NPPF (December 2023) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
28. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
29. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
30. Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 states that, development is expected to preserve and enhance the

character area in which it is located. Moreover, Policy CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 states that, development proposals, which integrate well with their surroundings, meet the needs of residents and minimise the impact on the local environment will be supported where they demonstrate a high quality of design.

31. The prevailing character of the area is mostly detached bungalows, chalet bungalows and two storey dwellings set on plots of varying sizes and forms. There is no set appearance or design. Ground levels vary naturally. The site is located on the northern side of the highway – Matlock Road. There is a driveway to the front with a garden to the rear.
32. The proposed extension would be positioned to the northern side of the existing dwelling, forming the rear elevation of the dwelling. A single storey rear extension measuring 4 metres to the rear has previously been approved under planning reference 2022/689 and following a site visit, it is clear that works relating to such a development have commenced. The proposed first-floor extension would extend over the footprint of the approved single storey extension resulting in a two-storey structure to the rear of the existing dwelling. The extension would measure a depth of 4 metres. The design of the first-floor extension would include a Juliet balcony to serve the enlarged habitable space.
33. The proposed extension to the rear of the dwelling would largely be obscured from views from the public domain and, as such, would have a limited impact on the character and appearance of the locality. From where it would be seen, mostly from within neighbouring properties, the extension would appear as a subservient and acceptable addition to the rear of the dwelling. The extension would match the height of the existing dwelling but, by being inset from both sides, it is considered that the first floor is acceptably subservient to the host dwelling. The materials and fenestration of the extension would be acceptable. Whilst the 'cut-off' element at one corner of the extension would be a little unfortunate, this feature would not cause the extension to appear as a harmful addition to the dwelling.
34. The proposed development also includes ramps to the front and rear elevation and a raised decking area to the rear. The ramps would provide access to the dwelling. The design and scale of these additions are considered acceptable in the context of a dwelling and would not result in adverse harm to the character and appearance of the dwelling. The privacy screens would be installed for privacy reasons, to be discussed below, and given the nature of these provisions, their siting and their scale, they would not result in harm to the character or appearance of the dwelling or the area.
35. The proposed rooflights shown on the submitted plans are considered to be visually acceptable.
36. The design of the proposed developments, including the decking and ramps, would respect the appearance of the existing dwelling and character of the area and the materials to be used will match the existing dwelling. For the above reasons the proposal would have an acceptable impact in terms of character and appearance and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies, Policy CSP18 of the Core Strategy, Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan and the NPPF.

## Residential Amenity

37. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
38. Policy CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 states that development should integrate well with its surroundings.
39. The above Policies reflect the guidance at Paragraph 135 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
40. The immediately neighbouring properties to the development site are 11 Matlock Road to the west and 15 Matlock Road to the east. The comments from occupiers of those dwellings and all other comments received have been taken into consideration in the assessment of this proposal.
41. The neighbouring dwelling of 11 Matlock Road is located to the west of the dwelling at the application site. The ground floor part of the extension would be 0.7 metres from the shared boundary with that property. The first floor part would be 2.8 metres from that shared boundary. The main part of the neighbouring dwelling features a rear facing window at ground floor and there are single storey rear projections to the rear of the main part of the dwelling including a conservatory.
42. As set out before, the proposed ground floor element of the proposed rear extension would largely be the same as previously approved. In the consideration of that proposal it was concluded that the development was acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties. This remains the case in relation to the single storey part of the development.
43. Due to the inset of the first floor extension from the side of the dwelling and from the shared boundary, it would not have an overbearing impact on the light or outlook within the neighbouring property. Whilst not specified within any adopted Policy, the plans indicate a 45-degree angle from the mid-section of the neighbouring window which is a useful indicator to measure a potential loss of light. The first-floor extension has been designed so that the corner is angled to alleviate some of the built form to the neighbouring side to ensure the 45 degree is met. As the enlargements do not intersect with this hypothetical line, this would demonstrate that the loss of light is not likely to be significant. Although the roof will have a slight overhang, the impact of this part of the proposal would be negligible.
44. It is noted that a ground floor window is proposed to face the neighbouring dwelling. However, this would be at a high level and, consistent with the submitted plans, a condition could be imposed to require the window to be fixed shut and any part of it that is below a height of 1.7 metres above the finished floor level of the associated room served by that window to be obscure glazed. No other windows would face towards the neighbouring

property and the Juliet balcony on the rear elevation would not cause overlooking or a loss of privacy to a degree that would be unacceptable harmful.

45. The proposed extension would be 4.6 metres from the boundary that is shared with 15 Matlock Road. The dwelling at that plot is also set away from the shared boundary. In the space between the proposed extension and the neighbouring dwelling is the single storey garage building that exists at the application site. The neighbouring dwelling features a ground floor window in the side elevation that faces the application site. A site visit has confirmed that this serves a kitchen that is of a size that is not considered to be sufficient to represent a habitable room.
46. The ground floor extension at the site is largely obscured from view from the neighbouring property by the existing garage. In the consideration of the previous proposal, it was concluded that the development was acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties. This remains the case in relation to the single storey part of the development.
47. The first floor extension would be visible from the neighbouring property. However, due to the inset of the first floor extension from the side of the dwelling and from the shared boundary, it would not have an overbearing impact on the light or outlook within the neighbouring property to a degree that would justify the refusal of the application.
48. Overall, given the relationship with neighbouring properties including the separation distance between dwellings and the orientation of those dwellings, it is not considered that the extension would significantly impact on the receipt of daylight or sunlight within those properties. Furthermore, it is not considered that the proposed development would result in an unacceptable overbearing effect on nearby residents.
49. The proposed development includes a rear decking area that would be raised by approximately 0.6 metres above ground level. The scale of the decking is modest including steps to the remain garden area beyond. In terms of overlooking, it is considered necessary to impose a condition requiring a 1.8-metre-high privacy screen to the side elevation of the decking to protect neighbouring amenity and provide an adequate level of privacy. Details of such a screen have been indicated on the proposed drawings and will also be secured by condition. As such, it is not considered that significant overlooking would result from this part of the proposed development.
50. Two side facing rooflights are shown on the submitted plans. These would be secondary windows and as such, in the interests of protecting privacy, these can be controlled by condition to be fixed shut and fitted with obscured glazing.
51. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008) of Policy CCW5 of the Neighbourhood Plan.

## Conclusion

52. In conclusion, the proposed development would respect the character and appearance of the site and area and would not cause an unacceptable degree of harm to neighbouring amenities that would conflict with national and local planning Policies. The proposal is, therefore recommended for approval.
53. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to Policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 and 219 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
54. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

## **RECOMMENDATION:**

## **GRANT subject to conditions**

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered D223-A01 Rev A (Dated May 2022) D223-A04C and D223-A05C (Received 20/03/2024). The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. Prior to the first use of the raised decking area hereby approved, a 1.8 metre tall privacy screen shall be fitted in the position shown on the plans hereby approved. It shall thereafter be retained at all times.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

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.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

6. The side facing rooflights shown on the plans hereby approved that would serve Bedroom 03 (as labelled on the plans hereby approved) (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.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

#### Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1 and CSP18, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1 and DP7, Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan and all material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the Development Plan and there are no other material considerations to justify a refusal of permission.
3. The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (December 2023), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning Policies and guidance and representations received.