
Appeal Decision

Site visit made on 19 September 2016

by Christa Masters MA (hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 September 2016

Appeal Ref: APP/P3610/W/16/3153577
145 Grosvenor Road, Epsom KT18 6JF

- 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 & Mrs Barrett against the decision of Epsom & Ewell Borough Council.
 - The application Ref 16/00117/FUL, dated 20 April 2016, was refused by notice dated 16 June 2016.
 - The development proposed is conversion and extension of existing dwelling to form a semi-detached pair of two-storey dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. This appeal has two main issues. Firstly, the effect of the proposal on the character and appearance of the area. Secondly, the effect of the proposal on the living conditions of the existing and future occupiers of No 143A Grosvenor Road.

Reasons

Character and appearance

3. The appeal property comprises a single storey dwelling. It represents the last property at the northern end of Grosvenor Road. There is extensive tree cover both within the existing garden and along the eastern boundary. The officers report advises that the area beyond the appeal site is designated as an area of landscape importance. There are variety of housing styles and types along Grosvenor Road and a number of plots have been subdivided to form two dwellings.
 4. The appeal site is located on higher ground than the neighbouring properties. As a result of this and the fact that it represents the last house on this side of the road, the existing dwelling is already a prominent feature, particularly when travelling up Grosvenor Road. The proposal would extend to two storeys in height across the entire width of the existing dwelling to create a pair of semi-detached properties. No street scene drawing is provided. However, in my view, in comparison to the existing dwelling on the site, the proposal would result in two bulky dwellings with two parking spaces each to the front of the properties. The height, scale mass and positioning of the dwellings would mean
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that they would appear cramped and dominant within the overall street scene. They would also appear as bulky and excessive in scale when viewed within the immediate context of the bungalow on the neighbouring plot.

5. I note that the appellant has provided a detailed assessment of other properties along Grosvenor Road, Roseberry Road and Beaconsfield Road which have been extended. From what I saw on the site visit, a number of these other developments are set back some considerable distance from the road frontage in less prominent positions than the appeal site. Both of these factors assist in minimising the visual prominence of the dwellings in the overall street scene. In contrast, the appeal site is in a prominent corner plot, and would extend the entire width of the plot. Even taking this existing pattern of development into account, I am not convinced that the proposal as it stands represents a satisfactory design solution to this important corner plot as the proposal would fail to complement the existing urban form and townscape.
6. Furthermore, the existence of other developments which present cramped forms of development and fail to make a positive contribution to the boroughs visual character and appearance is not sufficient justification to allow more. Moreover, each proposal must be considered on its own merits as is the case here.
7. For these reasons, I therefore conclude on the first main issue, the proposal would cause material harm to the character and appearance of the area. It would conflict with policy CS 5 of the Core Strategy (CS) 2007. Policy CS 5 advises, amongst other things, that high quality and inclusive design will be required for all developments. It goes on to state that proposal should reinforce local distinctiveness and complement the attractive characteristics of the Borough.
8. In addition, the proposal would also be in direct conflict with policies DM 9 and DM 10 of the Development Management Policies (DMP) 2015. Policy DM 9 advises, amongst other things, that planning permission will be granted for proposals which make a positive contribution to the boroughs visual character and appearance. Proposals should be compatible with the local character. Policy DM 10 is a general policy which sets out a number of design requirements for new development. These include, contributing to the character and local distinctiveness of a street or area. Particular regard should be had to, amongst other things, (i) prevailing development typology, including housing types and sizes; (iii) scale, layout, height and form.

The effect of the proposal on the living conditions of the existing and future occupiers of No 143A Grosvenor Road.

9. The Council contend that the location, height and mass of the proposed development would have an overbearing effect on the occupiers of No 143A Grosvenor Road. They have also raised concerns regarding the effect of the proposal on privacy and light levels. I deal with each of these matters in turn.
10. I was able to view the appeal site from both the rear garden and house at 143A during my site visit. The property is a single storey dwelling, set at a lower level than the appeal site, and has a mono-pitched roof. It has an existing conservatory at the rear which is glazed on all sides and extends a significant distance across the rear elevation of the property. This conservatory

represents an important light source for both a bedroom and lounge within the property.

11. The works to No 145 would mean that the dwelling numbered 145B Grosvenor Road on drawing 2015/08/03 REV 02 would sit flush with the site boundary. I share the concerns expressed by the Council that height, mass and scale of the two storey structure which would abut the boundary would be likely to have a dominant and overbearing impact on the existing and future occupiers of No 143A. This impact would be particularly apparent from the rear garden and conservatory area.
12. In terms of privacy levels, the proposal would have a window in the flank elevation directly facing No 143A. Given the proximity of this flank elevation, there could be scope for overlooking and a loss of privacy to occur. The plans also indicate that a balcony/decking area would also be provided although this detail is not shown on the proposed rear elevation. In any event, this elevated outdoor space in such close proximity to the site boundary could also have an adverse effect on the existing privacy levels. I note additional concerns have been raised regarding the potential for overlooking to occur from the first floor bedroom windows. However, given the vegetation which is in place further along the boundary between the properties, I am not convinced that position of the bedroom windows at the rear of the property would cause material harm in this regard.
13. In terms of light levels, the rear of this property and the appeal site face north. No technical assessment regarding light levels has been provided to support the proposal. However in my estimations, the scale and height of the proposed works in such close proximity to the boundary with No 143A could have a significant adverse effect on the light levels reaching No 143A, particularly in the mornings.
14. For the above reasons, I therefore conclude on the second main issue, the proposal would result in material harm to the living conditions of the existing and future occupiers of No 143A Grosvenor Road. It would therefore conflict with policy DM 10 of the DMP. This policy advises at (ix) that development proposals should have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight and daylight. Although the second reason for refusal also makes reference to policy CS 5 of the CS, I am not convinced that this policy is directly applicable to this second main issue.
15. For the same reasons, the proposal would be contrary to the Framework, and in particular paragraph 17 which advises that proposals should always seek to secure high quality design and a good standard of amenity to all existing and future occupants of land and buildings.

Other Matters

16. The appellant has stated that the current dwelling is uninhabitable due to mould and damp. The appellant has also explained the desire of the family and their children to occupy the site, as well as the previous planning history at the property. However, none of these matters either individually or collectively, outweigh the harm I have identified above in relation to the two main issues.
17. A number of third parties have raised concerns regarding the effect of the proposal on parking provision along the street. However, the level of parking

proposed is in accordance with the adopted standards. Accordingly, I can see no reason to disagree with the Councils conclusion on this matter, namely that the proposal would have an acceptable effect in this regard. Additional concerns regarding the effect of the proposal on local wildlife, trees, the existing sewerage system and the location of a substation within the garden of the appeal site have also been raised. However, there is no compelling evidence to support these concerns. None of these additional matters therefore add to the harm which has been identified above.

Conclusion

18. For these reasons, I therefore conclude the appeal should be dismissed.

Christa Masters

Inspector