

Appeal Decision

Site visit made on 7 November 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 14th November 2016

Appeal Ref: APP/K3605/D/16/3156056
74 Westville Road, Thames Ditton KT7 0UJ

- 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 Mrs Rosie White against the decision of Elmbridge Borough Council.
 - The application Ref 2016/1362, dated 27 April 2016, was refused by notice dated 22 June 2016.
 - The development proposed is single storey front, side and wrap around extension with pitched and flat roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the living conditions of the occupiers of No. 130 Thorkhill Road with regard to outlook.

Reasons

3. The appeal property is a semi-detached house at the end of a line of dwellings on the western side of Westville Road. Next door (No. 130 Thorkhill Road) is also one of a pair of semi-detached houses and occupies a corner plot. Consequently, the majority of its outdoor space is formed by the area to the side and front of the dwelling and is somewhat overlooked by surrounding properties.
 4. However, the property has a small courtyard area that, as I observed at my site visit, is used for sitting out and which provides a greater degree of privacy than the rest of its garden. This area is accessed from the kitchen/dining room which has relatively large windows that directly face the boundary with the appeal property. The existing set back of most of the appeal property's side elevation allows for a sense of separation between dwellings when viewed from No. 130's kitchen/dining room and sitting out area.
 5. The side element of the proposed extension would run close to the shared boundary and would be higher to the eaves than the boundary fence. Although it would utilise a combination of hipped and flat roof forms, it would still appear as a substantial built mass in very close proximity to next door. This would significantly increase the sense of enclosure around next door's most private outdoor amenity space and its kitchen/dining room and the side of the proposed extension would appear omnipresent and overbearing.
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6. The appellant contends that the proposed extension would be slightly further away from next door than the Council suggests. However, given its overall proportions and proximity to next door, regardless of whether I accept the Council's or the appellant's measurements, this has no material bearing on my view that the effects on the neighbour's outlook would be harmful.
7. It has been put to me that the proposed extension would be comparable in size and character to that at a nearby property. However, I do not have full details of this or indeed, whether it came about as a result of a planning permission. In any case, I have determined the appeal on its own merits.
8. Taking all of the above into account, I consider that the proposal runs counter to Policy DM2 of the Elmbridge Development Management Plan (2015) that, amongst other things, requires development to provide appropriate outlook and adequate privacy for existing and potential occupiers. The proposal also conflicts with the amenity objectives of the Council's Design and Character Supplementary Planning Document Companion Guide: Home Extensions (2012) and with the objective to protect amenity in the area generally as set out in Policy CS17 of the Elmbridge Core Strategy (2011) (CS).
9. I note that the Council's decision notice also refers to CS Policy CS8. However, given that I am considering the effect on the neighbour's outlook, I am not convinced that this policy directly relates to that single main issue.

Conclusion

10. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector