

Appeal Decision

Site visit made on 2 March 2017

By Lynne Evans BA MA MRTPI MRICS

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

Decision date: 22 March 2017

Appeal Ref: APP/K3605/D/16/3166189
18 Elland Road, Walton-on-Thames, KT12 3JT

- 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 B Halpin against the decision of Elmbridge Borough Council.
 - The application Ref: 2016/2672 dated 11 August 2016, was refused by notice dated 7 October 2016.
 - The development proposed is conversion of garage into habitable accommodation and single storey flank extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) the effect of the proposal on the street scene, and
 - b) the effect of the proposal on the living conditions of the neighbours at No 16 Elland Road, with particular regard to loss of light and loss of outlook.

Reasons

Issue a) Street Scene

3. The appeal property is a semi-detached two storey house with an attached garage to the side, which, in turn, is linked to the garage of the adjoining semi-detached dwelling at No 16 Elland Road. There are four pairs of similar, linked semi-detached properties on the south-west side of this part of Elland Road and a similar pattern of development is also found further along Elland Road. The appeal property is within a predominantly residential area and, in the immediate vicinity, the two storey houses date from the same period and are arranged into small groups of similar designs.
4. The set back of the garages provides a rhythm and spacing to these properties, and contributes to the street scene. The set back of the garages on this side of the street contrasts with the forward projection of the garages to the dwellings on the opposite side of the road and maintains a sense of spaciousness within

the pattern of development. Although the proposed side extension would not project forward of the front wall of the appeal property, it would reduce the spacing between the dwellings and would appear cramped in relation to the adjoining property. I consider that this would detract from the current pattern and rhythm of development and harm the street scene.

5. I therefore conclude that the proposal would harm the street scene. This would conflict with Policy DM2 of the Council's adopted Development Management Plan 2015 (DM Plan), Policy CS17 of the adopted Core Strategy 2011 (Core Strategy), the adopted Design and Character Supplementary Planning Document (SPD) and the National Planning Policy Framework (Framework), all of which seek, amongst other things, a high quality of design which respects the local context and local distinctiveness. The refusal notice also refers to Policy CS3 of the Core Strategy, which relates to the overall spatial strategy for Walton-on-Thames and does appear to be directly relevant to the proposal before me.
6. The Appellant has drawn my attention to other extensions which have been undertaken in the vicinity, although I have been provided with no information regarding their planning history. Each proposal must be judged on its individual merits but I have nonetheless taken these other examples into account, but none of these persuade me a different view. Furthermore, some of these examples relate to dwellings at the end of the small groupings of properties and do not therefore in my view have the same effect on the rhythm and spacing of the built form as the proposal before me.

Issue b) Living Conditions

7. The garage at the adjacent property, No 16, has been converted into habitable accommodation with a window facing towards the rear and a window to the front. I agree with the Council that the proposal would have some adverse effect on light and outlook in respect of the front facing window. However, I am advised by the Appellant that the conversion has created one room used as a bedroom/ study with two windows. This is also my understanding from the representations submitted by the neighbour at the application stage. On the basis that the conversion has created one room with two windows, and not two rooms as understood by the Council, then it is my view that the effect on light and outlook, would not materially affect the living conditions of the neighbours, given that the front facing window would not appear to be the sole window to that room.
8. On the basis of this understanding, I therefore conclude that the proposal would not materially harm the living conditions of the neighbours at No 16, with particular regard to loss of outlook and loss of light. There would be no conflict with Policy DM2 of the DM Plan, Policy CS17 of the Core Strategy, the SPD and the Framework, all of which amongst other things, seek to ensure a good standard of amenity for all existing and future occupants of land and buildings. However, my decision on this issue does not outweigh the harm I have concluded under my first issue.
9. The neighbours have also raised a concern regarding the impact on parking, but I consider that there would remain adequate parking to serve both properties.

Conclusion

10. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR