

Appeal Decision

Site visit made on 19 April 2017

by D Cramond BSc MRTPI

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

Decision date: 04 May 2017

Appeal Ref: APP/K3605/D/17/3169331

44 Thistledene, Thames Ditton, KT7 0YJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr C Mahadeva against the decision of Elmbridge Borough Council.
 - The application Ref 2016/3984, dated 3 December 2016, was refused by notice dated 1 February 2017.
 - The application sought planning permission for part two/part single storey rear and single storey side extension, rear dormer window, front porch and front rooflight following partial demolition of existing house without complying with a condition attached to planning permission Ref 2016/0281, dated 5 April 2016.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: 44TD/CM/PLN-B/01.3; 44TD/CM/PLN-B/02.2; 44TD/CM/PLN-B/02.6; 44TD/CM/PLN-B/03.1; 44TD/CM/PLN-B/03.2; 44TD/CM/PLN-B/03.4; received on 27 January 2016 and 44TD/CM/PLN-B/02.4 Rev A; 44TD/CM/PLN-B/03.3 Rev A received on 28 January 2016.
 - The reason given for the condition is: to ensure that the development is carried out in a satisfactory manner.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Appellant is seeking a variation to the approved scheme via the use of revised plans from that approved in planning permission Ref 2016/0281, dated 5 April 2016. The Appellant would wish to change to drawings 44TD / CM / PLN-D/VoC/01.3, 02.2, 02.4, 02.6, 03.1, 03.2, 03.3, and 04.1, 04.2, (3D drawings for clarification purposes). As the Appellant puts it on the application form, this amendment would provide for bringing the ground floor side extension forward by approx 2.1 metres, the first floor side extension forward by approx 2.1 metres, a loft conversion to provide more useful space and better access stair and a roof conversion from hip to gable.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.
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Reasons

Character and appearance

4. The appeal property is a two storey semi-detached dwelling. It is a nicely proportioned hipped roof house on a relatively generous plot in an area of established residential character occupied, in the main, by remarkably similar properties on tree lined highways with buildings and landscape which come together to create a pleasing suburban scene. The proposal is as above.
5. The main debate is over the suitability or otherwise of the planned hip to gable change. The broad symmetry between the semi-detached homes is tangible and there is another comparable pair immediately to the south which adds to the immediate picture. Within the wider view across the whole area it is striking how hipped roofs predominate and add compellingly to the local distinctiveness and the subtle role which upper levels generally play within the views.
6. The appeal site itself is widely visible and the upper side of the dwelling is prominent, particularly looking down Thistledene from the north. This is because of the building-line arrangement relative to the adjoining corner plot. Whilst some variation in symmetry and change generally may be seen as reasonable to my mind the gable end would be overly-pronounced and the appeal dwelling would unfortunately become markedly different at roof level from its immediate neighbour and most local properties. The streetscene would be unduly harmed. This gable in its own right, and with the planned other varied roof form extensions adjoining it, would look too visually awkward.
7. Policy DM2 of the Elmbridge Local Plan Development Management Plan 2015 and Policies CS8 and CS 17 of the Elmbridge Core Strategy 2011, taken together and amongst other matters, seek to ensure new development embodies high quality design, respects a host building, reflects local character and exemplifies local distinctiveness. For the reasons given above I conclude that there would be conflict with these policies. The policies have objectives that are also reflected in the Council's Design and Character SPD 2012. In my opinion the scheme would run contrary to its main aesthetic aims albeit this publication cannot be expected to cover every eventuality.

Other matters

8. I understand the Appellant's wish to increase the accommodation of this property. I appreciate that there was not objection from neighbours and no concerns were raised on residential amenity grounds by the Council.
9. I note the Appellant's arguments about 'permitted development' rights but I have an appeal before me to determine. An application for a Lawful Development Certificate for a hip to gable conversion is for the Council to determine. In terms of this appeal there is a judgement to be made of some subjectivity on the scheme as a whole and I could not condone such poor design.
10. I have carefully considered all other examples of upper level alterations and extensions drawn to my attention. I do not know the full background to some of these but I note the Appellant expresses concern over a lack of consistency. However all have some variation in siting, scale or design from the scheme before me and I have to say that some do not contribute positively to the

scene and in a planning policy-led strive to achieve good design it would be unfortunate to set these as benchmarks. In any event I must determine the scheme before me on its own merits.

11. I note the Appellant's frustrations over the necessary paperwork and time lapses during the planning process and I hope satisfactory resolution can be found shortly.
12. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
13. I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

14. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR