



Appeal Decision

Site visit made on 8 August 2017

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 24 August 2017

Appeal Ref: APP/K3605/D/17/3176530

Mapletree House, Woodland Way, Weybridge, Surrey, KT13 9SW.

- 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 and Mrs Relfe against the decision of Elmbridge Borough Council.
 - The application Ref 2017/0191, dated 19 January 2017, was refused by notice dated 29 March 2017.
 - The development proposed is a single storey garage with room in the roofspace incorporating rooflights, following demolition of existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey garage with room in the roofspace incorporating rooflights, following demolition of existing garage at Mapletree House, Woodland Way, Weybridge, Surrey, KT13 9SW in accordance with the terms of the application, Ref 2017/0191, dated 19 January 2017, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: 101A and 103.
 - 4) The building hereby permitted shall not be occupied until the roof window in the southern roof slope has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Procedural matters

2. I have adopted, in the bullet point above, the description of the development set out on the decision notice as this more precisely describes the proposed development than that given on the application form.

Main Issues

3. I consider the main issues to be:

- a) the effect of the proposed development on the host property and the character and appearance of the area; and,
- b) the effect of the proposal on the living conditions of the residents of 15 Oatlands Avenue, in terms of the potential for it to have an overbearing impact.

Reasons

Character and appearance

- 4. Mapletree House is a detached two-storey dwelling located in a private gated estate. While facing Woodland Way, it occupies a corner plot at its junction to Oatlands Avenue.
- 5. The house is located so that it has a large side garden between it and number 2 Woodland Way. Almost centrally positioned in that space is a detached two-bay flat roofed garage with utility room and store. Located immediately behind the rear of the house is number 15 Oatlands Avenue, the rear garden of which then extends behind the rear of the garage.
- 6. Following demolition of the existing garage, the appellants propose the construction of a replacement double garage and utility room with a crown roof to provide space in the roof void for a guest annex. The proposed building would be the same width as the existing structure but 1.205 metres longer. The ridgeline of the pitched roof would be some 2.250 metres higher than the existing flat roof.
- 7. Although of a more recent date than the majority of other properties in Woodland Way, Mapletree House, while utilising modern materials and details, was designed to reflect a traditionally styled and proportioned house. Accordingly, while the flat roof garage is clearly an unimposing subservient structure, it is, nevertheless, due to its form, a somewhat incongruous building in the context of the style of the house and surrounding more vernacular development.
- 8. I agree that the increase in length and replacement of a flat roof with a crown roof would give the garage more presence in the street scene. However, in my judgement, due to its form and design, it would not appear either incongruous or so overly dominant as to detract from the host dwelling or the surrounding streetscape as suggested by the Council.
- 9. I therefore conclude, in respect of the first main issue, that the proposed replacement garage would not cause harm to the character and appearance of the host property or the wider area. It would therefore accord with Policy CS17 of Elmbridge Core Strategy 2011 (Adopted July 2011) (CS), Policy DM2 of the Elmbridge Local Plan - *Development Management Plan* (Adopted April 2015) (DMP), the Elmbridge Borough Council - Design and Character Supplementary Planning Document: Home Extensions (April 2012) (SPD) and the National Planning Policy Framework (the Framework) as they relate to the quality of development and the need for it to both integrate with and enhance local character.

Living conditions

10. The ridgeline of the crown roof would be about 2.250 metres above the existing flat roof. I therefore judge that the new roof would be more prominent than the existing flat roof when viewed from the neighbouring dwelling, 15 Oatlands Avenue.
11. However, the proposed garage would be set in about 1.1 metres from the boundary to number 15 and the roof would slope away at a relatively steep angle from the neighbouring property. Accordingly, given this built up sub-urban location, I do not consider, on balance, that the new garage would appear so overbearing when viewed from the neighbouring property as to cause significant harm to the living conditions of the neighbouring occupiers.
12. For these reasons I conclude, in respect of the second main issue, that the proposal would not be so overbearing as to have a detrimental impact on the living conditions of the residents of 15 Oatlands Avenue. It would therefore accord with DMP Policy DM2, the SPD and the Framework as they seek to protect the living conditions of adjoining occupiers.

Conditions

13. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
14. During the determination of the application, the Council raised a concern about the possible impact on the living conditions of adjoining occupiers of number 15 Oatlands Avenue by reason of potential overlooking leading to a loss of privacy from the proposed roof window in the southern roof slope. It was suggested this window could be conditioned to be non-openable and obscure glazed. Having regard to the size and location of this window, I consider that such a condition would be necessary in this case.
15. In the interests of certainty, I shall also impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR