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## Appeal Decision

Site visit made on 10 February 2020

**by Tim Wood BA(Hons) BTP MRTPI**

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

**Decision date: 24 February 2020**

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**Appeal Ref: APP/K3605/D/19/3242658**

**4A Coverts Road, Claygate, Esher KT10 0JU**

- 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 Diane Mobbs against the decision of Elmbridge Borough Council.
  - The application Ref 2019/1496, dated 29 May 2019, was refused by notice dated 8 October 2019.
  - The development proposed is described as the refurbishment of an existing garden room and existing corridor.
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### Decision

1. The appeal is allowed and planning permission is granted for the refurbishment of an existing garden room and existing corridor at 4A Coverts Road, Claygate, Esher KT10 0JU in accordance with the terms of the application, Ref 2019/1496, dated 29 May 2019, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1;1250 scale site plan; E/1751/M/02/1 REV A; E/175/M/02/2 REV A.
  - 2) Within 2 months of the date of this decision details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall have been submitted to the local planning authority. Upon approval of such details the development shall be carried out in accordance with the approved details / samples.
  - 3) Within 2 months of the date of this decision, details of measures for the protection of the Oak tree which is included within the Tree Preservation Order EL:15/02, shall have been submitted to the local planning authority for approval. Upon such written approval, within 1 month the agreed protective measures shall be put in place on site in accordance with the agreed details and retained for the duration of the construction process.

### Preliminary Matter

2. The development has already been started and I had the benefit of seeing this at my site visit

## **Main Issue**

3. The main issue in this appeal is the effects of the proposed extension on the living conditions of neighbours at No 6 Coverts Road.

## **Reasons**

4. The proposal relates to this detached 2 storey property, which is situated within a largely residential area. The shape of the plot and that of the neighbouring property at No 6 are irregular and unusual. The plot at the appeal property is much wider at its rear and extends across the full width of the plot at No 6, which is also narrow at its rear. Both properties are sited close to the common boundaries and the rear of the house at No 6 faces over its own very small garden, towards the rear of the plot at the appeal site.
5. I can see from the submitted documents that No 4A previously had an extension in the position of the one the subject of this appeal. The previous extension was lower and predominantly of glazing. From the plans, it also appears that its footprint was slightly different at one of its rear corners.
6. The proposal would replicate the footprint of the previous extension (with the exception of an infill at one corner, which would not affect the occupiers of No 6). The proposal would have a pitched roof and is constructed of bricks with a tiled roof. The side elevation of No 6 does not contain any windows that could be affected by the proposal. Within the ground floor rear elevation, No 6 has windows to the kitchen. Even with the boundary treatment that I observed, it is obvious that the proposal would be seen from this kitchen window.
7. I have taken account of the greater height and the difference in the design of the roof, when compared to the previous extension. Whilst the appeal scheme would be taller and its roof would have a greater width, this does not necessarily mean that it would be unacceptable. I consider that, within the context of these 2 buildings here, the difference between the 2 would be insufficient to give rise to harm to the outlook of the residents at No 6. Therefore, I find no conflict with the Council's relevant policies as set out on its decision notice.

## **Conditions**

8. I have considered the conditions suggested by the Council in the light of the advice and guidance in the Planning Practice Guidance. As the development has already commenced, the standard time limit condition is not necessary. I shall include a condition which identifies the approved drawings for the sake of clarity. So that the proposal has an acceptable appearance, a condition to approve and secure the external materials is necessary.
9. A tree within the rear of the site is included within a Tree Preservation Order and the Council suggest a condition to ensure its protection during construction works; I agree that this is necessary. The Council also suggest a condition to retain all other trees, hedges and hedgerows and to control any pruning or other works. I did not see any other vegetation within the appeal plot which was of particular merit or which makes a valuable contribution to the area. Therefore, I find no need for this suggested condition.

## **Conclusion**

10. I have taken account of all other matters raised but find nothing which leads me to a different conclusion. Therefore, the appeal is allowed.

*S T Wood*

INSPECTOR