
Appeal Decision

Site visit made on 30 June 2020

by L McKay MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 8th July 2020.

Appeal Ref: APP/K3605/D/19/3242335

9 Hinchley Way, Esher KT10 0BD

- 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 Ian Baker against the decision of Elmbridge Borough Council.
 - The application Ref 2019/2086, dated 25 July 2019, was refused by notice dated 27 September 2019.
 - The development proposed is ground and first floor rear extensions. Side extension and loft conversion with rear dormer and rooflights to front elevation. New roof design.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Hinchley Way is a no-through road running parallel to the Kingston bypass and separated from it by a mature hedge. Other than a nursery school part way along, it comprises dwellings set well back from the road, most of which appear to have been of similar design originally, with a projecting two storey bay window to the front and a catslide roof to one side. Although some of the dwellings have been altered and extended in various ways, most still have gaps between them at first floor level. These provide a sense of separation between the fairly substantial dwellings and, along with the sizeable front gardens, contribute to the spacious character of the street.
4. The appeal property has the hipped roof, bay window and catslide roof that are characteristic of this street and, despite a first-floor extension to No 10 adjacent, retains a sense of space around it. As such, it contributes positively to the character and appearance of the area.
5. The side extension proposed next to No 8 would extend almost up to the boundary and would have a part-hipped roof, adding considerable bulk to this side of the appeal dwelling. No 8 is set back further from the road than No 9 and its garage, with catslide roof over, extends up to the shared boundary. Consequently, despite being set back from the front wall of the host property, the extension would be broadly in line with the garage of No 8 due to their relative positions, and would therefore significantly reduce the gap between the two dwellings at first floor level. Due to the open frontage of No 8, there are

clear views of No 9 from the road, and the proximity of the proposed extension to No 8 would be very apparent. Consequently, the proposed extension on that side of the host property would harmfully erode the spacious character of the street.

6. The other side extension proposed, adjacent to No 10, would be set off the boundary and set back from the front wall of No 10, and as such would not significantly reduce the gap between Nos 9 and 10. The proposed rear extensions and dormers would be quite large but would be well contained within the site and would not be easily visible from the public realm. As such, these elements of the proposal would not harm the character and appearance of the area.
7. Nevertheless, for the reasons given above the side extension proposed adjacent to No 8 would significantly harm the character and appearance of the area. Accordingly, the proposal would conflict with Policies CS9 and CS17 of the Elmbridge Core Strategy 2011 and Policy DM2 of the Elmbridge Local Plan Development Management Plan 2015 which, amongst other things, require all new development to enhance local character and deliver high quality design based on an understanding of local character, which integrates sensitively with the locally distinctive townscape.
8. Furthermore, it would conflict with the guidance in the Design and Character Supplementary Planning Document 2012 (Design SPD) and Companion Guide – Home Extensions 2012 (the Companion Guide) which set out that development should harmonise with the streetscape, and also seek to avoid terracing effects by retaining gaps to boundaries at first floor level.
9. The proposal would also conflict with the requirement of the National Planning Policy Framework that developments add to the overall quality of the area and are sympathetic to local character.

Other Matters

10. The appellant has referred me to planning permissions for various extensions and alterations to Nos 8, 10, 12, 14 and 15 Hinchley Way, of which all but that at No 8 have been built. The extensions to Nos 10 and 12 are close to the shared boundary with the adjacent property, however in both cases the neighbour is set in from the boundary and as such some gap between the properties remains. Likewise, as the first floor of No 9 is set in from the boundary, had No 8 been extended as permitted, a gap would have remained between them at first floor level. The information provided indicates that the extension to No 14 replaced a side dormer the same distance from the boundary and as such the gap between the properties would have remained the same. An extension to No 15 extending up to the boundary was apparently refused and the approved scheme was set in from the boundary at first floor level.
11. Consequently, while I appreciate that the appellant has had regard to other permitted schemes in the vicinity when designing their proposal, those schemes are materially different to the appeal proposal. All would retain some gap between properties, and as such would not have a comparable impact on the character and appearance of the area to that of the appeal scheme, which I have considered on its own merits.

12. Furthermore, those permissions all pre-date the adoption of the current development plan and the Design SPD and Companion Guide, which seek to avoid proposals that extend up to the boundary at first floor level, in order to retain the rhythm and character of the street. As such, they do not justify the harm that would result from the appeal proposal.
13. The proposal would increase the accommodation available for the occupants however that is a private benefit and as such carries minimal weight. The proposal would safeguard the living conditions of neighbouring occupiers, however this is a neutral impact that does not weigh in favour of the proposal.

Conclusion

14. Therefore, the appeal is dismissed.

L McKay

INSPECTOR