



Appeal Decision

Site visit made on 10 July 2020

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 05 August 2020

Appeal Ref: APP/K3605/D/20/3247015

39 Otlands Avenue, Weybridge KT13 9SS

- 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 Suzanne Syme against the decision of Elmbridge Borough Council.
 - The application Ref 2019/2454, dated 3 September 2019, was refused by notice dated 8 January 2020.
 - The development proposed is a hip-to-gable loft extension, single storey rear extension, and two storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, a scaffold was in situ over the dwelling with part of the proposed rear extension under construction, however the proposed amended eaves height was not yet constructed. Despite the positioning of the scaffold, I was still able to see and assess the scheme and have therefore made my decision on this basis.
3. I note reference within the appeal documents to a previous planning approval 2019/0550 which proposed the same scheme as the appeal proposal with the exception of the raised eave height of the two storey addition. The Council have not raised any concerns with regards to the elements of the scheme previously approved, only the raised eave height. Given that the previously approved scheme has commenced construction, I have therefore only considered the raised eave height within this Decision Letter.
4. The applicant in their appeal statement refers to an option to alter the materials of the proposed scheme. There is no evidence that this option has been assessed by Officers or has been the subject of community consultation. In accordance with the 'Wheatcroft Principles',¹ it would not be appropriate to consider this additional option within my decision as the acceptance of such would deprive those who should have been consulted on the changed development of the opportunity of such consultation. As such, I will base my decision solely upon the plans that were assessed by the Council during the original planning determination.

¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

Main Issue

5. The main issue is the effect of the raised eave height of the proposed scheme upon the character and appearance of the existing dwelling and of the surrounding area.

Reasons

6. The appeal property is a large detached dwelling which appears to have been developed alongside many of the dwellings along Oatlands Avenue and St. Mary's Road which would appear to date from the late 19th - early 20th Century. Whilst the dwellings along this side of Oatlands Road have differences in terms of their overall design, there is a cohesiveness in architectural style with large detached dwellings with side and rear setbacks with large gardens with a dominance of vegetation with the buildings and vegetation of the appeal site being able to be experienced from St. Mary's Road. Architectural details in common are also shared between the dwellings such as large prominent chimneys, hipped roofs, tile hangings, window proportions with stone dressings and buildings being largely of brick construction. These elements assist in reinforcing the positive elements of local character and distinctiveness of the locality.
7. The Council have published a *Design and Character Supplementary Planning Document Companion Guide: Home Extensions 2012* (SPDCG) which supports Policy DM2 of the *Elmbridge Local Plan 2015* (LP). The SPDCG notes a number of considerations for achieving appropriate extensions, some of which include unsightly extensions which ignore the style and character of the original house; extensions which would adversely affect the appearance of the street scene, clumsy junction between roofs; and eaves lining up with the existing, amongst other considerations.
8. The proposed eaves height is taller than the eaves of the existing roof. Whilst I acknowledge the applicant's comments that they believe that there is 'no discernible difference' between the approved and proposed scheme, I do not share this view. The proposed increase in eave height would be significant in this context, given that the increased height of the flank wall would almost encapsulate the chimney stack, reducing its dominance within the street scene, which is seen as a positive element. Whilst I appreciate the rear extension is no taller than the existing dwelling in overall height, the increased height of the flank walls increases the massing and visual bulk of the extension to an unacceptable degree when set against the rear of the existing dwelling. The proposal would represent a dominant addition and give an awkward juxtaposition with the increase in eave height resulting in a discordant, rather than subservient addition.
9. I also note comments from the applicant where a great deal of commentary and weight is placed on public views from the street scene. I note that Policy DM2 does not mention public views, and whilst important, there remains a number of other considerations such as the appearance, scale, mass, height and character of the host building as referred to within the policy and its companion guide. The raised eaves height does remove dominant components of architectural features such as chimneys from the street scene, and considering all elements together against relevant planning policy, the scheme as a result of its visual massing and bulk would fail to blend seamlessly to the design and architectural integrity of the existing dwelling.

10. I note reference by the applicant to a number of appeal decisions² and a planning approval³ which the applicant believes to represent a precedent for what is deemed appropriate development. It is noted that these appeals and planning decision do not share commonality between the appeal site which would make them analogous. Neither of the cases presented have a similar context with large detached dwellings with dominant architectural detailing which has been encapsulated by the proposed scheme, and in one example where the appeal Inspector did not take into account the provisions of the SPDCG, whereas they are relevant considerations to this appeal scheme. I do not agree that the appeals and planning decision are analogous to the considerations of this scheme and therefore these decisions are afforded little weight in my consideration.
11. In conclusion on this matter, the raised eave height of the proposed scheme would be a dominant addition which would not conform with Policy DM2 of the LP and the SPDCG, both of which seek that proposed development preserve or enhance the character of the area, particularly in relation to appearance, scale, mass, height, and character of the host building, in the case of extensions).

Conclusion

12. As set out above, the appeal is therefore dismissed.

J Somers

INSPECTOR

² APP/K3605/D/19/3234181; APP/K3605/D/19/3230077

³ Elmbridge Council Planning Application No. 2013/4079