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## Appeal Decision

Site visit made on 12 October 2020

**by Andrew Bremford BSc (Hons) MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 October 2020**

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**Appeal Ref: APP/K3605/D/20/3248851**  
**29 Glebelands, West Molesey KT8 2PY**

- 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 Walker against the decision of Elmbridge Borough Council.
  - The application Ref 2019/2817, dated 27 September 2019, was refused by notice dated 24 December 2019.
  - The development proposed is single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission granted for the erection of single storey rear extension at 29 Glebelands, West Molesey KT8 2PY in accordance with the terms of the application, Ref 2019/2817, dated 27 September 2019, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Location Plan' dated August 2019; 'Block Plan/Location Plan' dated September 2019; and 'Proposed Single Storey Rear Extension' dated June 2019.
  - 3) 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.

### Main Issues

2. The main issues are the effect of the proposal upon (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of the neighbouring properties in respect of outlook and light.

### Reasons

#### *Character and appearance*

3. The appeal property is a mid-terraced bungalow located on the west side of Glebelands. The building is typical of the development in the immediate surrounding area, the street-scene of which within this section of Glebelands is characterised by terraced rows of bungalows. Indeed, it forms part of three terraced rows arranged around a courtyard parking area off Glebelands. The evidence in the form of the submitted block plan shows that the bungalows generally have small rear gardens commensurate with the size of the

properties. Moreover, a number of the bungalows in the vicinity of the site have been subject to rear extensions which has reduced the size of their rear gardens.

4. The proposed rear extension would be single storey and would be around 3.5 metres deep and approximately 2.7 metres in height. As a result of the proposal the depth of the rear garden would be reduced to around 7.0 metres. However, in the context of the size of the rear gardens of the bungalows in the vicinity of the site and taking into account those which have been reduced in size as a result of rear extensions, the rear garden of the host property would not be reduced to such an extent that it would be out of character or disrupt the prevailing pattern of built development in the area.
5. Furthermore, in this case, adequate amenity space would be retained for current and future occupiers because the resultant garden size would not be out of scale with the modest size of the property.
6. For the reasons outlined above, the proposal would not be harmful to the character and appearance of the area. Consequently, in this regard, it would accord with the design aims of Policies CS7 and CS17 of the Elmbridge Core Strategy (2011) (CS); Policy DM2 of the Elmbridge Local Plan Development Management Plan (2015) (DMP); and the Elmbridge Design and Character Supplementary Planning Document (2012) (SPD). These policies, amongst other things, seek to ensure development proposals take account of the character of the area and have particular regard to the prevailing pattern of built development.

#### *Living conditions*

7. The outlook from the rear elevation windows and doors of the neighbouring properties, Nos 27 and 31 Glebelands, is already towards tall fencing along the boundaries with the appeal site.
8. Excluding a small gap on either side, the proposal would extend across the full width of the rear elevation of the bungalow and so would be close to the boundaries with the neighbouring properties. Furthermore, it would intrude within a 45 degree angle to the nearest ground floor door and window within the rear elevation of both neighbouring properties. The proposal would project by around 0.5 metre more than the Council's SPD *Companion Guide: Home Extensions (2012)* indicates a single storey extension should, in order to ensure the effect on natural light is minimal. However, given the relatively small difference in height between the proposed extension and the existing tall boundary fencing, the appeal scheme would not have a significant overbearing effect or result in a material loss of light.
9. Assessing the scheme against the existing and proposed site circumstances show that the changes would not harm the living conditions of the occupiers of the neighbouring properties with regard to outlook and light. Thus, despite a breach of the 45 degree criteria the proposal would still accord with the overall amenity protection and design aims of Policy DM2 of the DMP and the SPD.

#### **Conditions**

10. Planning permission is granted subject to the standard three-year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the

interests of certainty. I have therefore imposed a condition to this effect.  
In the interests of the character and appearance of the area, it is necessary to impose a materials condition.

**Conclusion**

11. For the reasons set out above, I conclude that the appeal should be allowed.

*Andrew Bremford*

INSPECTOR