



Appeal Decision

Site visit made on 28 October 2020

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2020

Appeal Ref: APP/K3605/D/20/3250313

34 York Gardens, Walton on Thames, Surrey, KT12 3EP

- 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 Paul Thomas against the decision of Elmbridge Borough Council.
 - The application Ref 2020/0222, dated 11 February 2020, was refused by notice dated 13 March 2020.
 - The development proposed is described as "retrospective planning roof dormer extension".
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Decision

1. The appeal is allowed and planning permission is granted for retrospective planning roof dormer extension at 34 York Gardens, Walton on Thames, Surrey, KT12 3EP in accordance with the terms of the application, Ref 2020/0222, dated 11 February 2020, and the plans submitted with it.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the house and area.

Reasons

3. The appeal site is a semi-detached 2 storey house. The street comprises semi-detached dwellings with slight gaps between each pair. Key characteristics of the host dwelling and other nearby properties are 2 storey projections to their side, the roofs of which are lower than the main roof ridge so that they are stepped down and subservient. The ground floor of the side projections on the host dwelling and neighbouring properties also project forward of the main front elevation of the houses. All the houses in the street are set back behind front gardens and have gardens to the rear.
4. The Council's main concern is that due to the extension being the full width of the roof, rather than being set in 0.2m from the side eaves and down from the roof ridge, it appears bulky and dominant.
5. The dormer extension is only visible from the street for a short distance when travelling in a north westerly direction where there is a slight bend in the road near the appeal site. From all other views along the road frontage of York Gardens it is not visible, and it does not have any adverse effect on the key characteristics that I have identified.

6. It is visible from some rear gardens along York Gardens, the rear of some properties on Walton Park and some parts of Walton Park Lane, the footpath to the rear of the site. However, there is substantial natural screening provided by mature trees and hedge boundaries that obstruct most views of it. Where it is visible the distance between receptors and the development, or the angle from which it is seen, is such that it does not appear as such a dominant feature that it causes unacceptable harm to the character or appearance of the area.
7. The appellant considers that the development is similar to that for which the Council granted a Lawful Development Certificate (ref: 2016/0178) (LDC). The Council acknowledged the LDC is a valid fallback option. I note that the only difference between that and the extension as constructed appears to be the lack of a 0.2m set in from the side eaves referred to in the Officer's Report. The difference between the acknowledged fallback position and the completed development is therefore minor. Notwithstanding this I have come to my own view on the acceptability of the scheme.
8. Overall, I conclude that the impact on the appearance of the building and street scene is not significant and the character of the area is preserved. As a result, there is no conflict with policies CS3 and CS17 of the Elmbridge Core Strategy (July 2011), policy DM2 of the Elmbridge Local Plan Development Management Plan Development Management Plan (April 2015), the Design and Character Supplementary Planning Document (April 2012) and the National Planning Policy Framework (2019) which require development to be of a high quality and integrate with local character.

Conditions

9. The Council has suggested a condition specifying the approved plans. However, as the development is complete, I do not consider the condition or a standard condition limiting the lifespan of the planning permission are necessary.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR