



Appeal Decision

Site Visit made on 26 November 2020

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2020

Appeal Ref: APP/K3605/D/20/3257143

8 Hurtwood Road, Walton-on-Thames KT12 3QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Sabzar Ali Khan against the decision of Elmbridge Borough Council.
 - The application Ref 2020/0399, dated 11 March 2020, was refused by notice dated 19 May 2020.
 - The application sought planning permission for part two/part single-storey side/rear extension following partial demolition of existing house and garage without complying with a condition attached to planning permission Ref 2019/1342, dated 31 July 2019.
 - The condition in dispute is No 3 which states that: *The materials to be used in the construction of the external surfaces of the extension shall match as nearly as is practically possible those of the existing building to which it is attached, in colour, type, finish and profile.*
 - The reason given for the condition is: *To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.*
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the condition is reasonable and necessary, having regard to the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

3. Number 8 Hurtwood Road (No 8) is a semi-detached house located within a residential estate of similar properties and short terraces. Throughout the estate, buildings are generally finished in brickwork including their gable end elevations. Properties nearest to the appeal property are additionally either tile hung or rendered on the front elevation at first floor. This provides added detail and breaks up the brickwork. The appeal property has a render finish at first floor. The estate has a consistent appearance with the gable end walls contributing to the visual coherence and character of the estate.
4. Planning permission was granted in 2019 for an extension to No 8 subject to a condition requiring materials to match existing. The approved drawings indicated that the side and rear elevations would be finished in brickwork with

the front elevation of the first floor extension would be finished in render. This condition was imposed to provide a satisfactory external appearance to the development. The appeal proposal, in seeking to vary this condition, would render the rear and side elevations of the approved extensions.

5. With the more extensive use of render on the property, the retained areas of brickwork would be significantly reduced. When viewed in the context of surrounding development, the render finish to the gable end would appear at odds with the wider estate and the characteristic appearance of the brick gable ends. Due to the curve in the road, this side elevation to No 8 is exposed and open towards the street. This would make the render finish visually prominent within the street scene. This would adversely affect the character and appearance of the area.
6. Whilst the proposed render to the rear elevation would be visible through gaps between properties at the rear, these views would be very limited. Furthermore, the rear elevations, being less visible throughout the area, contribute less to the visual appearance of the estate. In this context, the proposed rendered rear elevation would not be harmful.
7. My attention has been drawn to examples of rendered properties locally. However, whilst one of these is close to the appeal site, none of them form part of the housing estate to which No 8 belongs. They do not therefore provide a direct comparison or justification for the scheme before me.
8. I conclude that the condition is both reasonable and necessary, having regard to the effect of the proposed development on the character and appearance of the host property and surrounding area. The proposed development without complying with the condition would therefore conflict with Policy CS17 of the Elmbridge Core Strategy 2011 and Policy DM2 of the Elmbridge Development Management Plan 2015. These policies together require development to preserve or enhance the character of the area, having particular regard to appearance, and integrate sensitively with the locally distinctive townscape. It would also not accord with the National Planning Policy Framework which requires development to be sympathetic to local character and, through the use of materials, maintain a strong sense of place.
9. It would also not comply with the guidance set out in the Design and Character Supplementary Planning Document 2012 and the Home Extensions Companion Guide 2012 which advises that similar detailing and materials to the existing house should normally be used.

Conclusion

10. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR