
Appeal Decision

Site visit made on 20 November 2020

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020.

Appeal Ref: APP/K3605/W/20/3252356

34 Holroyd Road, Claygate, Esher, Surrey KT10 0LG

- 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 Ms Razia Ghauri against the decision of Elmbridge Borough Council.
 - The application Ref 2019/2986, dated 18 October 2019, was refused by notice dated 9 March 2020.
 - The development proposed is the erection of a double storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the health and life expectancy of nearby trees and on the character and appearance of the area.

Reasons

3. The appeal property is a 2-storey end of terrace house with a single-storey side extension and a 2-storey rear addition. It is situated in a residential cul-de-sac comprising terraced houses of similar age and appearance. The property benefits from a relatively large garden to the side and rear. Along the garden boundary shared with the properties in Glebelands there are 4 substantial mature Oak trees that are the subject of a Tree Preservation Order. The canopies of these trees extend over a significant proportion of the appeal property's garden and due to their size and prominence they make a significant and positive contribution to the character and appearance of the area.
4. The proposal would comprise the erection of a 2-storey side extension that would be wider and deeper than the existing single storey addition. The appellant's Arboricultural Impact Assessment indicates that the groundworks of the proposal, which have been carried out, extend into the root protection areas of 3 of the Oak trees and the construction of the upper parts would require the removal of branches from the closest Oak trees.
5. I recognise that the trees have been subject to regular pruning over the years and may be able to withstand some further pruning to enable the proposal to be constructed. However, due the close juxtaposition between the trees and the proposal there would be an inevitable need for more regular and more extensive pruning than has been the case in the past to maintain sufficient

clearance. In addition, there is likely to be increased pressure to prune due to the degree of shading that would be experienced within the extended property and its garden. More extensive and regular pruning would diminish the contribution the trees make to the character and appearance of the area and, in combination with the reduced space for roots, decrease their life expectancy.

6. For these reasons I conclude that the proposal would have unacceptable effects on health and life expectancy of the trees and on the character and appearance of the area. It is therefore contrary to Policy DM6 of the Elmbridge Local Plan Development Management Plan (2015) which states that proposals should be designed so that they do not result in loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area, unless in exceptional circumstances the benefits would outweigh the loss. There is also conflict with Policy CS14 of the Elmbridge Core Strategy Development Plan Document (2011), which seeks the safeguarding of significant trees, and the aims of paragraph 175 of the National Planning Policy Framework (2019).

Conclusion

7. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR