
Appeal Decision

Site visit made on 14 December 2020

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2020

Appeal Ref: APP/P3610/D/20/3257336

56 Sunnybank, Epsom KT18 7DX

- 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 Mark Marsella of The Amber Group against the decision of Epsom & Ewell Borough Council.
 - The application Ref 20/00670/FLH, dated 19 May 2020, was refused by notice dated 14 July 2020.
 - The development proposed is part two storey, part single storey side and rear wraparound extension with single storey front extension and formation of porch extension and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) the effect of the proposal on the living conditions of the occupants of 54 Sunnybank, with reference to outlook, daylight and sunlight; and
 - b) the effect on the character and appearance of the area.

Reasons

Living conditions

3. The two storey part of the proposed extension would be constructed at the side of the property closest to 54 Sunnybank. The extension would be angled away from the neighbour and this would provide some mitigation by ensuring that the building is set off the boundary. However, the relationship between the dwellings is such that the development would project past an existing single storey addition belonging to No 54 and well beyond the rear wall of that dwelling at first floor. The proposal has the potential to be overbearing and to reduce daylight to a bedroom window. Furthermore, the position of the development due south of the neighbour means that it could overshadow the section of garden/patio closest to the house which may be used for sitting out.
4. I note that No 54 has already had a similar extension to that being proposed. The appellant contends that, in comparison with that development, the appeal scheme would have a lesser impact on the living conditions of the neighbours due to the angle between the properties. I do not know the background to the

extension at No 54 and do not have any evidence on its precise relationship to No 52 and whether it has been detrimental to the occupiers of that property. That it was approved is not conclusive proof that the extension is not harmful.

5. The submitted plans do not show the relationship of the proposed extension to No 54 and there is no evidence in the form of a daylight and sunlight study to inform a decision on whether the impact is likely to be within acceptable limits. In the absence of this information it is impossible to make a reliable judgement on the acceptability of the scheme. I therefore conclude that there is conflict with the requirement of Policy DM10 of the Development Management Policies Document (2015) (DMPD) that proposals should have regard to the amenities of neighbours, including in terms of outlook and sunlight/daylight.

Character and appearance

6. Sunnybank is an attractive suburban street of detached housing. Nos 54 and 56 bear a close resemblance to one another and may have been designed as a matching pair. The proposed extensions are broadly comparable to those which have already taken place at No 54, particularly the front projecting gable above an integral garage and the setting back of the first floor from the side plot boundary.
7. There would be differences, for example in respect of the porch and dormer window on the front elevation. However, many of the properties within Sunnybank are variations on a theme, with subtle changes in the architecture disguising a similar overall form. In this context, the proposal would not read as being out of character. Although the Council has raised concerns with the lack of subordination and the design of the front roof extensions, these components have an acceptable appearance on No 54 and I do not consider them to be harmful to the host property or the street scene as a whole.
8. The Council contends that the proposal would close the gap between the appeal property and No 54. It describes this spacing as 'characteristic' but within Sunnybank there are numerous examples of extensions leaving a similar distance to the neighbouring property. Some of those examples set the upper floor away from the side boundary, much like the appeal scheme. Overall, I do not share the view that the development would result in a 'crammed' appearance.
9. Accordingly, I conclude that the proposal would not cause material harm to the character and appearance of the area. There would be no conflict with Policy CS5 of the Local Development Framework Core Strategy (2007) or Policies DM9 and DM10 of the DMPD insofar as these seek good design which has regard to local character and distinctiveness.

Conclusion

10. The proposal would not be detrimental to the character and appearance of the area. However, it has not been adequately demonstrated that there would be no harm to the living conditions of the occupants of 54 Sunnybank. For this reason, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR