
Appeal Decision

Site visit made on 12 January 2021

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2021

Appeal Ref: APP/K3605/D/20/3258190

25 Bridge Gardens, East Molesey KT8 9HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Gareth Rees against the decision of Elmbridge Borough Council.
 - The application Ref 2020/0843, dated 5 April 2020, was refused by notice dated 15 June 2020.
 - The development proposed is a part two/part single storey side/rear/front extension incorporating front canopy, rear dormer window and front and side roof lights following demolition of existing side projection and removal of chimney stack.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area and the host dwelling.

Reasons

3. The appeal property is one of a number of semi-detached dwellings in Bridge Gardens that have distinctive projecting front gables with asymmetrical roof-slopes and where there is a regularity of open space between buildings owing to the mainly single storey flat roofed garages and pathways to the sides. This uniformity of design within the street adds positively and distinctively to the character and appearance of the area.
4. The two storey side extension would be erected in very close proximity to No 24 Bridge Gardens which has been extended to the side. Owing to its position, width and height, it would fail to appear subordinate in scale with the host dwelling and would unacceptably interrupt the overall design balance and symmetry that exists across the pair of semi-detached dwellings. This harm would be compounded as a result of the use of a white render finish which would be incompatible with the uniformity of existing materials used for the semi-detached dwellings.
5. The gap between the resultant appeal dwelling and No 24 Bridge Gardens would be very narrow (i.e. a side pathway) and hence the development would have the effect of creating both a terracing effect in the street-scene and significantly departing from the otherwise regularity of gaps between dwellings. I acknowledge the appellant's comment that there is currently a flat roofed

garage to the side of the appeal property, but that is low in height, mirrors most of the other garages in the street, appears subordinate in scale and ensures that there is an open gap at first floor level between buildings.

6. To the rear/side of the property it is proposed to erect a two storey flat roofed extension. It would be possible to see part of this development from Bridge Gardens, albeit that views would be limited and at some distance through a relatively small gap. There would be views of this development from neighbouring residential gardens. Owing to its eaves height and flat roof, I do not consider that this part of the development would be reasonably reflective of the design characteristics that are prevalent in respect of the existing dwelling. Furthermore, I would add that limited public visibility does not obviate the need to achieve good design. Indeed, paragraph 124 of the National Planning Policy Framework (the Framework) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
7. I note the appellant's reference to the use of flat roofs at Wolsey Court and the side garages to the properties on Bridge Gardens. The former relates to a block of flats and the whole of the building includes a flat roof. This is in direct contrast to the dwellings in Bridge Gardens where, in the main, two storey development does not include flat roofs. In respect of the garages, these are single storey in height and there is a general planned uniformity of scale and design along the street. Consequently, the appellant's comments about the existence of other flat roofs in the area does not alter my view that the two storey flat roofed extension would constitute poor design.
8. The proposed rear dormer would occupy a significant proportion of the roof-space of the dwelling and hence would appear top heavy, bulky and out of scale. In the context that the neighbouring semi-detached dwelling is devoid of any roof structures this would also compound my concern about the development as a whole harming the design balance and symmetry of the pair of semi-detached properties. Whilst the dormer would be to the rear of the property, it would nonetheless be visible from public areas, including from part of Bridge Road, and from neighbouring rear gardens.
9. The appellant has commented that a similarly sized dormer could be erected utilising permitted development rights. In the context of an appeal under section 78 of the Act, it is not within my remit to formally determine whether similar development would require planning permission. However, even if it were possible to erect a dormer to the rear utilising permitted development rights, there is no reasonable evidence before me to demonstrate that any such dormer would be the same as that which is the subject of this appeal. I have considered the appeal dormer on its individual planning merits and have reached a view that material harm would be caused. I accept that there are some other dormers in the area, as referenced by the appellant, but the existence of such dormers would not justify causing harm to the pair of semi-detached dwellings and the host dwelling from a design point of view.
10. For the collective reasons outlined above, I therefore conclude that when the development is considered as whole it would constitute poor design and would cause significant harm to the character and appearance of the area. Therefore, it would not accord with the design requirements of policies CS8 and CS17 of the Elmbridge Core Strategy 2011; policy DM2 of the Elmbridge Local Plan

'Development Management Plan' 2015 (DMP); the Council's Supplementary Planning Document 'Design and Character' 2012 and Chapter 12 of the Framework. The Council has referred to policy DM12 of the DMP, but this is not directly relevant to this main issue in so far that it relates to heritage matters.

Other Matters

11. The appeal site falls outside of the East Molesey Kent Town Conservation Area (CA) but is close to its boundary. I do not disagree with the views of the Council that owing to the location and extent of the proposed development, it would preserve the setting of the CA and hence there would be no conflict with policy DM12 of the DMP. However, this does not alter or outweigh my conclusion on the main issue.

Conclusion

12. For the reasons outlined above, I conclude that the appeal should be dismissed.

D Hartley

INSPECTOR