



Appeal Decision

Site visit made on 8 December 2020

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 26/02/2021

Appeal Ref: APP/K3605/D/20/3257507

50 Ewell Road, Long Ditton, KT6 5LH

- 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 Esther Thomas against the decision of Elmbridge Borough Council.
 - The application Ref: 2020/0120 dated 14 January 2020 was refused by notice dated 20 May 2020.
 - The development proposed is single storey rear, side and front extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the living conditions of the neighbours at No 52 Ewell Road, with particular regard to effect on outlook and light.

Reasons

3. The appeal property is a semi-detached two storey dwelling, on the south-west side of Ewell Road, within a predominantly residential area, and with the railway embankment to the immediate north. The existing house has previously been extended, and the appeal property extends further to the rear, over two storeys compared with the other 'half' of the semi-detached pair, which does not appear to have been extended.
4. I have taken into account that the existing extension is slightly offset from the common boundary between the appeal property and its neighbour and that this small gap would be continued with the proposed extension. Nonetheless, the proposed extension taken together with the existing extension would result in a very long and solid wall extending very close to and along the common boundary. I consider that this length combined with the proposed height, would have an unacceptable enclosing and oppressive effect on the outlook for the neighbours from their rear facing windows as well as from the rear garden area closest to the property.
5. I agree with the Appellant that the properties benefit from good sized rear gardens, particularly in terms of their length, but this would not outweigh the impact of the proposal in terms of the outlook from rear facing windows and the rear garden area closest to the property.

6. I have been provided with no technical information on issues of impact on light which forms part of the Council's reasons for refusal and the Appellant has only referenced sunlight factors, with regard to the orientation of the two properties in relation to each other. However, the additional length of the solid wall of the proposed extension would, in my view, be likely to impact further on levels of light to the rear facing windows of the neighbour's property, which appear to be already compromised as a result of the existing two storey extension.
7. I therefore conclude that the proposed extension would unacceptably harm the living conditions of the neighbours at No 52, with particular regard to loss of outlook and light. This would conflict with Policies CS8 and CS17 of the Elmbridge Core Strategy 2011, Policy DM2 of the Development Management Plan 2015, the Elmbridge Design and Character SPD 2012 and the National Planning Policy Framework, with particular regard to Paragraph 127 f), all of which seek to protect the amenities of existing and future occupiers.

Other Considerations

8. I agree that, given its scale and design, the proposal would not harm the character and appearance of the existing property and surrounding area. The Council also raised no objection in this regard. However, my finding on this matter does not outweigh the harm I have already concluded under my main issue.
9. I am advised that the neighbours at No 52 have raised no objections to the proposal. Whilst I have taken this into account, my consideration is based on the planning merits of the proposal and the harm I have concluded would endure for future residents. I also have sympathy with the Appellant's reasons for seeking the extension, but these benefits to the Appellant do not outweigh the harm I have concluded to the neighbour's living conditions.

Conclusion

10. For the reason given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR