



Appeal Decision

Site Visit made on 24 May 2021

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2021

Appeal Ref: APP/P3610/D/21/3269481

Glenwood, Horton Hill, Epsom KT19 8SY

- 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 S Fitzgerald against the decision of Epsom and Ewell Borough Council.
 - The application Ref 20/01633/FLH, dated 26 October 2020, was refused by notice dated 24 December 2020.
 - The development proposed is loft conversion with hip to gable conversion and dormer as approved with two storey side extension, single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with hip to gable conversion and dormer as approved with two storey side extension, and single storey rear extension at Glenwood, Horton Hill, Epsom KT19 8SY in accordance with the terms of the application, Ref 20/01633/FLH, dated 26 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Block Plan (LPS859 1.3), Proposed Plans (LPS859 1.1).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The roof area of the single storey rear extension hereby permitted shall not be converted or used as a balcony, roof garden, sitting out area, or similar amenity area, and no access shall be gained except for maintenance purposes.

Preliminary Matter

2. It is clear from the Council's decision that it has no objection to the loft conversion with hip to gable conversion and dormer, and the single storey rear extension. I have no evidence before me to reach a contrary view to the Council in this regard and therefore the consideration of this appeal focuses on the effect of the 2-storey side extension.

Main Issue

3. The main issue is the effect of the 2-storey side extension on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises a 2-storey semi-detached property situated in a residential area. Horton Hill contains a mix of terraces and semi-detached properties and a number of nearby properties are separated by access ways.
5. The proposed 2-storey side extension would not be mirrored on the adjoining dwelling which forms part of the semi-detached pair. Nevertheless, it would be set down from the roof ridge of the host property, and would be set-back from its front. Accordingly, it would appear subordinate to its host property meaning that it would not be especially noticeable in the street scene. Additionally, in my view, taking account of the width of the proposed extension, due to the mixed pattern of development nearby the newly-extended semi-detached pair would not appear incongruous in its context.
6. The proposed 2-storey side extension would extend to its nearest side boundary. I note that the SPG¹ advises that a 1 metre set-in from the boundary should be aimed for, which the proposal would conflict with. However, the SPG makes clear that it provides guidance only and that each case should always be considered on its merits. In this regard, I observed a number of rows of terraces along Horton Hill. As such, there is no clearly defined pattern of development with respect to gaps between properties on this street. Furthermore, I observed a number of nearby properties which extend to their side boundaries, adjacent to access ways. The proposal would replicate this arrangement, and taking into account the height of the extension, the fair-sized access way itself would ensure that no actual or perceived terracing effect would occur.
7. I therefore find that the 2-storey side extension would have an acceptable effect on the character and appearance of the surrounding area. It would comply with Policy DM10 of the Development Management Policies Document (adopted 2015) and Policy CS5 of the Core Strategy (adopted 2007) which collectively provide that, amongst other things, development proposals should contribute to the character and local distinctiveness of a street or area. The proposal would also comply with paragraph 127 of the National Planning Policy Framework (the Framework) which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character.

Conditions

8. I have had regard to the conditions suggested by the Council. I have considered them against the advice on conditions set out in the Framework and the Planning Practice Guidance. Conditions are necessary, in the interests of clarity and enforceability, setting out the timescale for the commencement of development and the approved plans, respectively. A condition is necessary controlling external materials to secure an acceptable appearance for the development. A condition is also necessary requiring that the roof area of the single storey rear extension shall not be used as a private amenity area, to protect the living conditions of the occupiers of neighbouring properties, with respect to privacy.

¹ Householder Applications: Supplementary Planning Guidance (2004)

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

Alexander O'Doherty

INSPECTOR