



Appeal Decision

Site Visit made on 29 June 2021

by **David Cliff BA Hons MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/C3620/D/21/3269028

43 Warrenne Road, Fetcham, Leatherhead, KT22 9TX

- 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 Mrs Tina Wright against the decision of Mole Valley District Council.
 - The application Ref MO/2020/1714/PLAH, dated 27 September 2020, was refused by notice dated 23 November 2020.
 - The development proposed is single storey rear and side extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect upon the living conditions of the occupiers of 41 Warrenne Road, with particular regard to outlook and (ii) the effect upon the character and appearance of the area.

Reasons

Living conditions

3. The proposed rear extension would be of a substantial depth and would be located very close to the side boundary of the neighbouring property (No. 41 Warrenne Road). Taking account of its substantial depth and an eaves height of 2.8m, the proposed side elevation facing No.41 would be of a considerable visual presence and massing. It would also project beyond the rear facing windows of the conservatory of No.41, albeit the extent of such a projection would not be particularly substantial. However, it would also be visible and prominent when viewed from the side windows of this conservatory, the eaves level of which would be below that of the extension.
4. There is considerable existing screening in terms of vegetation along the side boundary of varying height. However, given the very limited separation distance from the proposed extension to the side boundary, there is no guarantee that this screening would, or indeed could, be fully retained through and following the construction of the extension. There are also no details before me of how this existing screening would be capable of being retained. It is therefore unlikely to significantly mitigate against the effects of the extension.
5. Whilst the roof profile has been designed so that the ridge line would be away from the side boundary, it is the substantial extent and massing of the proposed north facing side elevation, rather than the roof, that would lead to

its unreasonably strong visual presence in the outlook of the neighbouring property.

6. Given the overall massing of the side wall of the proposed extension and its very limited distance to the side boundary, it would appear as unacceptably overbearing in the outlook from the rear conservatory of No.41. This would lead to significant harm to the living conditions of the occupiers of this neighbouring property.
7. Although other properties in the surrounding area have what appear to be substantially sized rear extensions, including the house on the opposite side of the road, I have considered the proposal before me on its own merits and circumstances, including the relationship with the neighbouring property at No.41, finding unacceptable harm to result as described above.
8. The proposal would therefore be contrary to the relevant amenity aims of Policies ENV22 and ENV32 of the Mole Valley Local Plan 2000 and the National Planning Policy Framework.
9. Notwithstanding the above, it would not be contrary to Policy CS14 of the Mole Valley Local Development Framework Core Strategy Development Plan Document 2009 as this policy does not appear to relate to the protection of living conditions. However, this does not reduce the weight I have given to the harm arising.

Character and appearance

10. The proposed extension would only be very partially visible in the streetscene at the front of the dwelling. At the rear, although large in size, it would not be visible from any public vantage points and the rear garden itself is generally well screening from the majority of neighbouring residential properties. There is a mixture of extensions of different forms already evident at other houses in the locality of the site.
11. Consequently, despite its substantial size and whilst there would be harm to the living conditions of 41 Warrene Road as set out above, the proposal would not result in any significant harm upon the character and appearance of the surrounding area.
12. It would therefore satisfactorily accord with the relevant general design and appearance aims of Policies ENV22 and ENV23 of the Local Plan.

Other Matters

13. I acknowledge the personal circumstances outlined by the appellant including the need for an open plan home environment and accessible space. The harm arising from the proposed extension only relates to its rear section as outlined above rather than the additional element proposed to the side of the house. It therefore appears possible that a revised design may be able to be achieved which still allows for the extension of some existing rooms within the dwelling, providing greater accessibility, along with potentially an alternative form of rear extension that might overcome the harm I have identified.
14. I have carefully considered the merits of the proposal before me and the personal circumstances of the appellant. I conclude in this case that the significant harm resulting to neighbouring living conditions would not be

outweighed by the particular circumstances and domestic requirements of the appellant. I have also considered whether it could be possible to issue a split decision including provision for the approval of the proposed side extension. However, given the physical link between the two parts of the extension as proposed, it would not be possible to disaggregate the two as part of this appeal.

Conclusion

15. The proposal would conflict with the development plan due to the significant impact on neighbouring living conditions. Other material considerations in this case do not outweigh this finding. I therefore conclude that the appeal should be dismissed.

David Cliff

INSPECTOR