



Appeal Decision

Site visit made on 10 September 2021

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021.

Appeal Ref: APP/K3605/D/21/3275515

Hope Cottage, St Georges Road, Weybridge KT13 0EP

- 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 Elizabeth Wicks against the decision of Elmbridge Borough Council.
 - The application Ref 2020/3480, dated 14 December 2020, was refused by notice dated 9 March 2021.
 - The development proposed is the erection of a single-storey rear extension and rear raised decking to a height of 0.36m following the demolition of the rear projection.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single-storey rear extension and rear raised decking to a height of 0.36m following the demolition of the rear projection at Hope Cottage, St Georges Road, Weybridge KT13 0EP in accordance with the terms of the application, Ref 2020/3480, dated 14 December 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: GF_200_P 01, GF_201_P 01, RP_202_P 01, W_203_P 01, E_204_P 01, S_205_P 01, S_206_P 01, SEC_AA_207 01, SEC_BB_208 01.
 - 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) No landscaping works shall commence until there shall have been submitted to and approved in writing by the local planning authority details of all hard and soft landscaping works. The landscaping works shall be carried out in full accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of St George's Cottage, with particular regard to outlook and natural light.

Reasons

3. The appeal property is located in a residential street and forms part of a terrace of handsome 2-storey houses. The attached property on one side, The Ferns, has a substantial 2-storey rear wing whilst the house on the other side, St George's Cottage, has a full-width single-storey extension. This addition includes an angled wall with windows facing the boundary fence between this property and the appeal property.
4. The proposal would primarily comprise the erection of a single-storey full-width addition. This would include the formation of a wall next to the boundary shared with St Georges Cottage, which would be taller than the boundary fence. There would therefore be some reduction in level of natural light to, and outlook from, the windows in the angled section of wall. However, the information before me indicates that the room served by these windows also benefits from windows facing directly towards the property's rear garden. For this reason I am satisfied that the occupiers of St George's Cottage would retain acceptable levels of natural light and outlook in the room closest to the appeal site.
5. The proposal would also include an area of raised decking to the rear. I am satisfied that such an element could be formed without causing unacceptable levels of overlooking of neighbouring gardens. However, to ensure that the decking is at an acceptable height above ground level and adequate levels of planting are provided, I consider it necessary to impose an amended version of the planning condition put forward by the Council to require the submission and approval of hard and soft landscaping works prior to the commencement of this aspect of the proposal.
6. For the reasons set out above I conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of St George's Cottage. It therefore accords with Policy DM2 of the Elmbridge Local Plan Development Management Plan (2015) which, amongst other matters, requires proposals to protect amenity and offer appropriate outlook and adequate daylight and sunlight. I am also satisfied that the proposal accords with the aims of the Council's Companion Guide: Home Extension Supplementary Planning Document (2012) and the National Planning Policy Framework (2021).

Other Matters

7. The proposal would incorporate materials to match the existing and its design and proportions would complement those of the host property and terrace of which it forms part. For these reasons I am satisfied that the proposal would not result in unacceptable harm to the host property or the terrace.

Conditions

8. I have considered the conditions suggested by the Council having regard to the National Planning Policy Framework and Planning Practice Guidance. In addition to the standard time limit condition, I consider a materials condition is required to safeguard the character and appearance of the area. Furthermore, for the avoidance of doubt and in the interests of proper planning, a condition requiring the approved development to be carried out in accordance with the approved drawings is imposed. A landscaping condition is required for the reasons set out above.

9. The Council has put forward a planning condition requiring obscure glazing in the window proposed in the flank wall of the extension. Whilst I note that this would face the boundary shared with St George's Cottage, the current boundary fence between the 2 properties would be sufficient to prevent inadequate levels of privacy in either of the neighbouring properties. This proposed condition is therefore unnecessary.

Conclusions

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

S Poole

INSPECTOR