

# Appeal Decision

Site visit made on 28 October 2021

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 November 2021**

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**Appeal Ref: APP/P3610/D/21/3281403**

**29 Bradford Drive, Epsom, Surrey KT19 0AQ**

- 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 Klementyna Toombs against the decision of Epsom & Ewell Borough Council.
  - The application, Ref. 21/00702/FLH, dated 25 April 2021 was refused by notice dated 23 June 2021.
  - The development proposed is a side and rear extension with a loft conversion.
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## Decision

1. The appeal is allowed and planning permission is granted for a side and rear extension with a loft conversion at 29 Bradford Drive, Epsom, Surrey in accordance with the terms of the application, Ref. 21/00702/FLH, dated 25 April 2021 and subject to the conditions in the attached Schedule.

## Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host building and the street scene.

## Reasons

3. The appeal dwelling is one half of a semi-detached pair with No. 27 and in common with many of the other houses in this stretch of Bradford Drive the two houses retain a substantial amount of pleasing symmetry. However, other pairs of dwellings on both sides of the Drive already have hip to gable roof extensions combined with rear dormers as a result of developments similar to that now proposed.
  4. The grounds of appeal cast a slightly wider net and refer to side additions and roof extensions that have been granted planning permission and are considered by the appellant to have had a very similar visual impact, if not greater, than would result with the appeal scheme.
  5. Whilst in principle I do not fundamentally disagree with the analysis in the officer's report, I also consider that the changes that have already taken place in the area, some with permission, are material to the assessment of the appeal scheme. The appraisal is also informed by the various elements of 'fall back' that would be available through the exercise of permitted development rights if the appeal were to be dismissed.
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6. Moreover, the appeal proposal in itself is not without some merit. Rather than just an exercise of 'bolting on' the additions, there is a coherent design that provides a well-articulated and detailed front elevation; a gap of 0.8m to the side boundary, and a rear dormer that, although over-scaled, nonetheless includes fenestration that achieves symmetry with the existing first floor windows. And despite the side additions a good sized gap would remain between the first floor flank wall of No. 31, a house that has already been extended at ground floor level in the gap with No. 29. In itself, and contrary to the officer's report, I do not consider the appeal scheme would result in a terracing effect with No. 31.
7. Overall in this case and taking the proposal's details together with the particular circumstances of the site I consider, on balance, that there can be some flexibility in the application of the Council's policies and guidance.
8. I therefore conclude that any conflict with Policy CS5 of the Epsom & Ewell Core Strategy 2007; Policies DM9 & DM10 of the Development Management Policies Document 2015, and the Council's Householder Applications SPG would not be unacceptably harmful. This conclusion also applies to Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021.
9. In allowing the appeal I shall impose a condition requiring the development to be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. A condition stipulating matching external materials will ensure a harmonious development and maintain visual amenity.
10. The Council has also suggested two conditions to safeguard the privacy of neighbours, as set out in paragraph 2 of this Decision and I agree that these are reasonable and necessary.

*Martin Andrews*

INSPECTOR

### **Schedule of Conditions**

- 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS based Block Plan; Drawing No. A-PL1-004;
- 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 of the single storey rear extension hereby permitted shall not be converted or used as a balcony or sitting out area and no access shall be provided except for maintenance purposes;
- 5) Before any occupation of the development hereby permitted, the new first and second floor side facing windows shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with and retained in, obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and shall be replaced in the event that it ceases to achieve obscurity level 3.

