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# Appeal Decision

Site visit made on 8 February 2022

**by James Blackwell LLB (Hons)**

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

**Decision date: 17 February 2022**

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**Appeal Ref: APP/K3605/D/21/3278469**

**40 Walton Park, Walton-On-Thames KT12 3EX**

- 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 Peter McCafferty against the decision of Elmbridge Borough Council.
  - The application Ref 2021/0842, dated 8 March 2021, was refused by notice dated 26 May 2021.
  - The development proposed is part two/part single-storey side/rear extension incorporating first-floor front bay window, solar chimney, rear canopy, hardstanding, alterations to fenestration and rear playhouse following demolition of existing garage.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have used the Council's description of development for the purpose of this decision as this more comprehensively describes the development proposed.
3. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issues of this appeal. I have therefore determined this appeal with regard to the current version, published in July 2021.

## Main Issues

4. The main issues are the effect of the proposed development on:
  - the character and appearance of the host property and the surrounding area; and
  - the living conditions of neighbouring occupiers, with specific regard to privacy.

## Reasons

### *Character and Appearance*

5. The appeal property comprises a semi-detached dwelling located on the southern side of Walton Park, within a predominantly residential area. Whilst house types along the road are varied in terms of size and style, the appeal property forms part of a pair of semi-detached dwellings which are similar in design, scale and footprint. These common factors give them a balanced

symmetry which contributes positively to their appearance, and to the wider street scene.

6. The proposed development would introduce a side extension to the appeal dwelling, with a width of approximately 7.7 metres at ground floor level. In its own right, the extension would be substantially wider than the existing property, and as a result, would fail to appear sufficiently subordinate to the existing dwelling and its adjoining neighbour. Instead, its scale would overwhelm the host dwelling, thereby significantly unbalancing the pair of semi-detached properties, which would be to the detriment of the street scene.
7. Whilst the new roof would be marginally stepped down from the ridge of the main dwelling, its eaves would sit higher than the roof pitch of the host property and its adjoining neighbour. This mismatch in roof design means the extension would fail to assimilate properly with the existing property, and would instead jar with its existing character and design. In turn, this would further exacerbate its prominence in the street scene, further disrupting the symmetry between the appeal dwelling and its adjoining neighbour.
8. For these reasons, the development would harm the character and appearance of the host property and the surrounding area. It would conflict with Policy DM2 of the Elmbridge Local Plan Development Management Plan (April 2015) (DMP), which requires new development to preserve or enhance the character of an area, with particular regard to scale, appearance, mass and character of the host building. It would also contravene guidance in the Council's Home Extensions Guide (April 2012)<sup>1</sup>, which is clear that extensions should achieve an appropriate relationship with the existing house and harmonise with the street scape, without dominating or overwhelming existing or neighbouring properties. Where houses are symmetrical or semi-detached, the guidance is also clear that any extensions should appear subordinate to the existing dwelling.

### *Living Conditions*

9. The proposed playhouse would be located to the rear of the garden, and whilst its total height would sit above the height of the boundary fencing, the height of its useable platform would be significantly lower. As such, any potential scope for overlooking would be broadly comparable with other children's play equipment commonly found in domestic gardens. On the basis that the raised platform would also be surrounded by timber framing to the rear and both sides, as well as the ample separation distances between the playhouse and the nearest habitable rooms to any neighbouring dwellings, I am satisfied that the playhouse would not risk unacceptable levels of overlooking.
10. As such, the proposed development would not cause undue harm to the living conditions of neighbouring occupiers. In this regard, the development would be consistent with Policy DM2 of the Council's DMP, which seeks to ensure new development is designed in such a way that offers appropriate outlook and privacy to neighbouring occupiers.

### **Other Matters**

11. Irrespective of any pre-application discussions which took place between the appellant and the Council, the proposed development would harm the character

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<sup>1</sup> Design and Character Supplementary Planning Document, Companion Guide: Home Extensions, April 2012

and appearance of the area, thereby contravening the Council's development plan policies, as well as the overarching design objectives of the Framework. The content of any such discussions would therefore not justify allowing the appeal in this instance.

12. In terms of the extensions to semi-detached dwellings in the vicinity of the appeal property which have been cited by the appellant, these examples are significantly narrower in scale than the development proposed in this instance, and are therefore able to integrate more effectively without dominating or overwhelming their host properties and adjoining neighbours. Moreover, their roofs have been designed to match those of the existing properties, which again allows them to assimilate more seamlessly with the street scene.
13. Whilst I acknowledge the accessibility needs of the appellant's family, there is no tangible evidence before me to demonstrate that these needs could not be met with an extension which integrates more effectively with the host property. Unfortunately, this factor can therefore only carry moderate weight in my decision, and in this instance, would not outweigh the harm to the character and appearance of the host property and the wider area.

### **Conclusion**

14. Whilst I have found in favour of the appellant with regard to living conditions, the proposal would harm the character and appearance of the area. As such, the development would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

*James Blackwell*

INSPECTOR