

Appeal Decision

Site visit made on 21 June 2022

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

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 July 2022

Appeal Ref: APP/K3605/D/22/3296243

58 Pelhams Walk, Esher, Surrey KT10 8QD

- 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 & Mrs D Vernazza against the decision of Elmbridge Borough Council.
 - The application, Ref. 2021/3948, dated 8 November 2021, was refused by notice dated 26 January 2022.
 - The development proposed is two storey front, side and rear extensions; façade modifications and alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the Pelhams Walk street scene, and (ii) the effect on the living conditions for the occupiers of No. 54 Pelhams Walk as regards outlook.

Reasons

3. On the first issue, I saw on my visit that Pelhams Walk is a road with a wide variety of dwelling types, sizes and designs. As such, in general terms the character and appearance of the road does not impose significant constraints. However, the appeal site has an essentially open frontage; is of a relatively modest size; has a triangular or wedge shape; noticeably slopes down to the front boundary, and along with No. 60 to the north has a frontage that forms the inner side of the bend in the road.
 4. The combination of the plot's open aspect, size, shape, land levels and corner position in my view does impose limitations on the potential for changes to the existing dwelling as regards its size, siting and, indirectly, design. However, the Council considers that for the most part the appeal scheme would be acceptable but takes issue with the prominence of the replacement garage. This is considered harmful to the character and appearance of the street scene.
 5. The appeal statement disputes the Council's appraisal and alleges incorrect figures, including as regards the existing garage and its replacement and also the distance it would be set back from the road. The statement says the correct figures are that the existing garage is 4m in height which would increase to 5.6m; the replacement garage would also be a metre lower resulting in the
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apex of its roof lining in with the eaves of the existing house, and that the distance from the existing garage to the road is about 12m which with the development would be reduced to about 9m.

6. I have taken note of these figures and the submissions for the appellant and used them with the application plans and my visit to the site to make my appraisal. In my view, the existing garage appears as both subordinate and discreet when read against the host dwelling, and in some views against the two-storey flank of the neighbouring No. 60.
7. The appeal proposal would represent a significant change from the existing situation, and I consider that this is clearly illustrated by the overlay drawing 'Front Elevation to show line of Existing Garage'. In terms of the site layout and the 'footprint' of the extended building, the larger garage would not integrate particularly well with the main dwelling. To use the description of an objector, it would appear as 'tacked on' to the house. However, to some extent this would be offset by the northern roof plane lining in with that of the main dwelling, as is the case with the existing garage.
8. The more fundamental point is that despite the appellant's argument as to modest dimensions, it is clear that with its 5.32m width; 5.85m depth; 2.74m further projection towards the road and a ridge height lining in with the eaves of the house, the garage would undoubtedly draw the eye as an obtrusive feature in the street scene. It would be correctly perceived as breaching the notional building line in front of Nos. 58 & 60 following the bend in the road. And through its greater width and more forward projection the garage would appear incongruously dominant relative to the proposed centre gable of the house, especially as their facades share the same design.
9. The impact of the garage would be accentuated by the rising land level and the open setting of the front garden, whilst the prominence of the utilitarian 'up and over' garage door is unfortunate and out of keeping with the 'traditional' design. For the appellant, my attention has been drawn to other houses and their additions in Pelhams Walk, including No. 60 next door, by way of comparison. However, it is the particularities of this site with its open and corner setting, the design of this development and the combination of these that inform my decision. Thus, despite its proximity, I do not regard the alteration to No. 60 approved over two decades ago as being especially relevant or comparable.
10. On the first issue I find that there would be harm to the character and appearance of the street scene. This would be in conflict with Policy CS17 of the Elmbridge Core Strategy 2011; Policy DM2 of the Elmbridge Development Management Plan 2015 and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021.
11. Turning to the second issue of the effect of the development on the outlook from a bedroom window at No. 54, the Council considers that an 8m gap from the extended house would be inadequate having regard to a breach of the 45-degree sight line and the recommended minimum distance of 15m.
12. However, whilst the proposed rear and side extension would to some extent close down the aspect from that room, there would be mitigation. This in the form of a continued view over No. 58's rear garden; the meeting of the 25-degree rule, thereby allowing a skyward aspect, and the use of the room as a

bedroom would mean that an expansive outlook is likely to be less important than in the case of a living room. I am also mindful that the occupier of No. 54 has not objected to the application and whilst not in itself determinative, this weighs in favour of the appellant's assessment.

13. On this issue, I conclude that there would not be an unacceptable loss of outlook to a bedroom window at No. 54 and that there would be no materially harmful conflict with the above-mentioned Policy DM2 or with paragraph 130f) of the National Planning Policy Framework 2021.

Conclusion

14. On the second main issue I have concluded in the appellant's favour, but this does not outweigh my finding on the first issue of the proposal's unacceptably harmful effect on the character and appearance of Pelhams Walk. I have had regard to all the other matters raised both for and against the appeal scheme, but these do not alter either my decision or the reasons for it.
15. The appeal is dismissed accordingly.

Martin Andrews

INSPECTOR