



Appeal Decision

Site visit made on 31 August 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 9th September 2022

Appeal Ref: APP/K3605/D/22/3301486

Valamo, Greenways, Esher, Surrey KY10 0QH

- 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 Andrew Meatyard against the decision of Elmbridge Borough Council.
 - The application Ref: 2022/1042 dated 31 March 2022, was refused by notice dated 16 June 2022.
 - The development proposed is rear dormers to be erected to increase the first floor accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Both the Council and the Appellant, as well as a number of local residents, have made reference to the use of the property; that is not before me. The property is in residential use and at the time of my site visit both the loft floor rooms (marked 1 and 2) were in use as bedrooms.

Main Issues

3. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing dwelling and on the local area, and
 - b) Whether the proposal would provide satisfactory living conditions for future occupants.

Reasons

Issue a) Character and Appearance

4. The appeal property is a modest, infill detached property with accommodation in the roof within a predominantly residential area. The accommodation in the roof, which currently comprises two rooms, are served by a number of roof lights.
5. The proposal seeks to introduce a number of dormer windows to the roof slopes to improve the accommodation in the roof space. These would include three hipped roof dormers on the front elevation and three hipped roof dormers

- on the right flank elevation, as well as a larger flat roofed box dormer on the rear elevation with two windows, extending round to the left flank elevation but with no windows.
6. The dormer to the rear roof slope and extending to the left flank elevation would be a very large addition to the roof slope. The dormers would appear cumbersome and overly bulky in relation to the proportions and massing of the existing property and would result in the roof becoming 'top heavy' and unbalancing the proportions of the dwelling.
 7. Although at the rear, and contrary to the views expressed by the Appellant, I consider that the proposed dormers at the rear would be seen in some views from the street, particularly when approaching from Manor Road South. For the reasons set out above, they would be visually obtrusive in such views. I have taken into account that the proposed materials would match the existing roof materials, but the proposed additional bulk and massing would unbalance the property and be visually obtrusive in street scene views. Furthermore, the siting of these dormers at the rear of the house would not in my view obviate the need to seek a high quality design solution.
 8. I therefore consider that the proposed dormers and particularly the large box dormer at the rear and on the left flank elevation would harm the character and appearance of the existing property and of the local area. This would conflict with Policy CS17 of the Elmbridge Core Strategy 2011, Policy DM2 of the Elmbridge Development Management Plan 2015, the Design and Character Supplementary Planning Document (Home Extensions Companion Guide 2012 as well as the National Planning Policy Framework, and in particular Section 12, all of which amongst other matters, seek a high quality of design which respects the local context.
 9. The Appellant has drawn my attention to other roof extensions in the local area. I have taken these into account on the basis of the information available, but it is a fundamental planning principle that each proposal must be considered on its individual merits. Good design should be the aim of all those involved in the design process and I find this scheme to fall short of the high standards that national and local policies seek to promote. None of these other examples persuade me to a different view given the harm I have concluded under this issue.

Issue b) Living Conditions of Existing and Future Residents

10. The existing accommodation in the roof serves two bedrooms, with roof lights some of which are in obscure glazing. The details are not clearly shown but the plans are marked to indicate that the proposed windows on the right flank elevation and the rear elevation would have obscure glazing, at least at the lower levels.
11. There is a balance to be struck between protecting the amenities of neighbours from overlooking and loss of privacy as well as the living conditions of future occupants of the appeal property. I agree with the Council that, notwithstanding the planting along the respective boundaries, the windows in the side and rear elevations would need to be obscure glazed to protect the amenities of the neighbours at No 1 Greenways and residential properties on Manor Road South, with particular regard to overlooking and loss of privacy.

12. I have noted the Appellant's comments regarding the preference for obscure glazing in bedrooms, but the permission would endure for future occupants and owners.
13. Although the use of the rooms is not specified, they were in use as bedrooms at the time of my site visit. The Framework is clear at Paragraph 130 that planning decisions should, amongst other matters, create places with a high standard of amenity for existing and future users. This objective is also set out at a local level.
14. I do not consider that a room, potentially in use as a habitable room, with all or largely obscure glazed windows only, as would be the case with loft room 1, would provide a satisfactory living environment for future occupants with particular regard to outlook. It would create an oppressive internal environment. This would conflict with Policy DM2 of the Elmbridge Development Management Plan 2015 as well as the Framework and in particular Paragraph 130 f) in this regard.
15. The Appellant has offered to accept a condition that would restrict the use of the room marked Loft Room 1 and were no other matters of concern and planning permission were to be granted, this might be addressed as a potential way to overcome the harm found under this issue.

Other Considerations

16. I have had regard to other comments that have been made in respect of the proposal, including in terms of its use and the impact on traffic and parking. None of these affect my findings and were not reasons for refusal raised by the Council.
17. The Appellant has raised a number of concerns about the way that the proposal was processed by the Council, but my decision has been based solely on its planning merits as I am required so to do.

Conclusion

18. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR