



Appeal Decision

Site visit made on 21 September 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2022

Appeal Ref: APP/P3610/D/22/3295782

84 Miles Road, Epsom KT19 9AD

- 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 F & C Belton & Byrne against the decision of Epsom and Ewell Borough Council.
 - The application Ref 21/01196/FLH, dated 5 July 2021, was refused by notice dated 4 January 2022.
 - The development proposed is described as the erection of part single-storey, part two-storey side and rear wrap-around extension. Loft conversion including rear dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of the neighbouring occupants with particular reference to light and outlook.

Reasons

Character and Appearance

3. 84 Miles Road comprises one half of a pair of two-story, semi-detached dwellings. Properties within the immediate street scene, on this side of Miles Road, are also two storey, semi-detached properties. The dwellings within the immediate street scene are broadly balanced in proportions and have a degree of symmetry to them. There is also a sense of spaciousness between the buildings and many of these dwellings also feature gable ended roofs. These prevailing features add to local distinctiveness making a positive contribution to the character and appearance of the area.
4. The development proposal would extend significantly to the side boundary at two storey height. While this is a corner plot, the substantial erosion of the existing space to the side boundary would have an unacceptably harmful effect on the spaciousness of the area. This harm would be further compounded by the proposed development's width, height, bulk and flat roof which would not sympathetically respond to the proportions or design of the existing host dwelling, the symmetry of the semi-detached pair or the character of the immediate street scene.

5. While the proposed development would be set behind the existing front wall of No 84, it would still be visible from public vantage points and this set back would not mitigate the harm set out above. I have also not been provided with the details of any other planning consents on this site, however, the appellant indicates another consent was approved for a single storey extension to the side. This is therefore different in height to the current appeal proposal. The harm I have identified above arises from the two-storey side extension and the in-combination effect with the other elements of the development proposal.
6. The rear dormer window, which would accommodate a bedroom, while visible from the public footpath would be of similar proportions and design to neighbouring rear projections and therefore less harmful. However, the rear dormer projection, above the outrigger, which would accommodate the dressing room and shower room, would be of significant proportions. Its width, length, height and flat roof would be unsympathetic to the two-story nature of the host dwelling and its pitched roof design.
7. The proposed development would therefore fail to reinforce local distinctiveness and would result in unacceptable harm to the character and appearance of the area. Accordingly, there would be conflict with the relevant provisions of Policies CS1 and CS5 of the Epsom and Ewell Core Strategy 2007 (the Core Strategy) and Policies DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015 (the DMPD), all of which, amongst other things, seek to ensure that development is sympathetic to the character and appearance of the area. The development would also conflict with the National Planning Policy Framework (the Framework) which includes the requirement to achieve well-designed places.

Living Conditions – Neighbouring Occupiers

8. 86 Miles Road has a splayed arrangement with No 84. The development as proposed would not extend beyond the rear wall of this neighbour and facing windows at No 86 would also be located to the rear of No 86 away from the bulk and mass of the proposed two-story sections and well separated from the roof alterations. For these reasons I do not find that the proposed development would generate any unacceptable loss of light or outlook to the occupiers of No 86.
9. The proposed development would also not project beyond the rear wall of 82 Miles Road and as such any windows at this neighbouring property would not suffer unacceptable loss of light or outlook. The garden area is also splayed away from No 84 and this would significantly reduce any impact from the proposed development in respect to any unacceptable loss of light or outlook.
10. The proposed development would therefore have an acceptable effect upon the living conditions of the occupiers of both neighbouring properties with particular reference to outlook and light. As a result, the proposal accords with the relevant provisions of Policy DM10 of the DMPD, as well as guidance contained within the Framework. These, amongst other things, address the need for high quality design therefore respecting the living conditions of neighbouring occupiers.

Other Matters

11. The appellant has also expressed concerns regarding the time taken by the Council during the application process. Whilst this must have caused the appellant some distress, this does not materially affect my consideration of the planning merits of the appeal proposal.

Conclusion

12. While I have found the impact on neighbouring occupiers to be acceptable this is a neutral matter which does not outweigh the unacceptable harm identified in regard to the impact upon the character and appearance of the area. As such, the proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR