

Appeal Decision

Site visit made on 22 May 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2023

Appeal Ref: APP/K3605/D/23/3317935

2 Woodside Road, Cobham, Surrey KT11 2QR

- 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 Salv Nigrelli against the decision of Elmbridge Borough Council.
 - The application Ref 2022/3301, dated 31 October 2022, was refused by notice dated 3 February 2023.
 - The development proposed is for a first floor single storey extension over an existing single storey extension, a two storey side extension and the raising of the existing eaves line by 400mm and new roof with amended pitch to accompany a loft conversion with associated dormers.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's second reason for refusal referred to the impact that the proposal could have upon established trees located along the site's southern boundary. In response to this the appellant commissioned an Arboricultural Planning Report and submitted it as part of their appeal documentation, although this was not before the Council at the time it determined the planning application. I therefore gave the Council an opportunity to review said document and provide additional comments as appropriate. I note that third party representations also make reference to the impact of the proposal upon these trees and notwithstanding the fact that they have not been able to comment on the contents of the report, nonetheless in view of my decision on the appeal, I consider they have not been prejudiced. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

4. The appeal site comprises a private residential street and includes large detached dwellings located within generous plots of an Arcadian nature. In

many cases the dwellings are built close up to their respective side boundaries with 4 and 6 Woodside Road to the north, being such examples.

5. The host dwelling would be extended to both sides: at first floor level towards the boundary shared with no 4; and to the south towards Littleheath Lane, on the boundary of which are a number of oak trees which provide a positive contribution to the green and pleasant street scene.
6. Taking into account the physical appearance of the extensions themselves and their proposed relationship to the side boundaries I consider that overall, by virtue of their design, scale, bulk and mass that they would not appear overly dominant or incongruous within the road; and whilst there would be a reduction of visual separation between the development and the adjoining property at no 2, nonetheless I consider that it would not appear as an overdevelopment of the site.
7. I note the arboricultural solutions that have been advanced within the Arboricultural Planning Report to mitigate the potential impacts of the proposal upon the root protection areas of the trees located along the southern boundary. Nonetheless, even today without the dwelling being enlarged, the canopies of trees T2 and T3 in particular, are very close to its roof. The report recommends cutting back the north facing crown laterals on these trees to facilitate development which could also give rise to an imbalance in their appearance. To permit further extensions at first floor level on the dwelling's southern elevation would give rise to future pressures to drastically reduce their crowns or potentially for their outright removal.
8. I consider that this would be detrimental to the visual amenity that the trees provide. Therefore, due to its overall scale and siting in close proximity to a number of important trees along the southern boundary, the proposal would be detrimental of the character and appearance of the area. This would be contrary to Policy DM6 of the Elmbridge Local Plan Development Management Plan 2015 which requires development proposals to be designed to include an integral scheme of landscape, tree retention and protection that reflects, conserves or enhances the existing landscape and integrates development into its surroundings; and does not result in loss of, or damage to trees that make a significant contribution to the character and amenity of the area.

Conclusion

9. Therefore, having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR