

Appeal Decision

Site visit made on 11 May 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI
an Inspector appointed by the Secretary of State

Decision date: 29 June 2023.

Appeal Ref: APP/K3605/D/23/3317589
108 Buckingham Gardens, West Molesey, Surrey KT8 1TN

- 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 Ms Kinga Szabo against the decision of Elmbridge Borough Council.
 - The application, Ref. PP-11539215, dated 10 September 2022 was refused by notice dated 12 January 2022.
 - The development proposed is a single storey front extension; window and cladding replacement.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension; window and cladding replacement at 108 Buckingham Gardens, West Molesey in accordance with the terms of the application, Ref. PP-11539215, dated 10 September 2022 and subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this decision;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Based Location Plan; Existing and Proposed Site Plans and Plans; Existing and Proposed Elevations; Existing and Proposed Elevation and Section; Revised FRA dated February 2023.
 - 3) The development shall be carried out using external materials with their details having been first submitted to and approved in writing by the Local Planning Authority.

Main Issues

2. The main issues are (i) the effect of the proposal on the character and appearance of the host dwelling and this part of Buckingham Gardens and (ii) the effect of the development on flood risk.

Reasons

3. The character and appearance of Buckingham Gardens derives from a combination of the unity of the buildings' design and the consistency of their spatial pattern, the latter in itself informed by the frontage public footpaths and the landscaping. This includes boundary hedges that partially screen the lower
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parts of the dwellings' front elevations. The grounds of appeal provide additional information and clarification as regards both main issues compared to the Design and Access Statement submitted with the application. And whilst this was not available to the Council in making its decision, I have now been able to take this into account.

4. On the first issue, the proposed extension, at just 5sqm, is extremely modest in size and - importantly in my view - its forward projection would be less than that of the flank wall of No. 109. The appellant has submitted photographs of existing extensions of a similar size and design to houses of the same design at Nos. 113, 116, 130 and 142, with No. 130 in particular comparable because of its similarities with the appeal scheme as regards design and external appearance.
5. In the light of these examples and having regard to my own observations of No. 118; the other dwellings cited; and the overall context, I do not consider that the principle of an extension of this size and design, or the materials and colours chosen for the cladding and window frames of the extension (and for the existing house where replacement is required) would draw the eye as being harmfully out of keeping. Accordingly on this issue, there would be no harmful conflict with Policy DM2 of the Elmbridge Local Plan: Development Management Plan 2015; the Council's Design and Character: Home Extensions SPD 2012, and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021.
6. On the second issue, the property falls within Flood Zone 2. The appellant has now submitted a revised Flood Risk Assessment dated 11 February 2023 using the Council's template for small scale development set out in the Council's Flood Risk SPD 2016. Arguably more detailed information could have been provided, but having regard to its very small 5sqm floor area for non-habitable purposes and its minimal projection in front of the existing building footprint, I am satisfied that there would not be an identifiable increased flood risk either to the occupiers of No. 108 or to any third parties and property. There would therefore be no harmful conflict with Policy CS26 of the Elmbridge Core Strategy 2011.
7. I shall therefore allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt and is in the interests of proper planning. A condition stipulating that the external materials should be first approved by the Council will ensure that the development is in keeping with the existing dwelling, thereby maintaining the character and appearance of the area.

Martin Andrews

INSPECTOR