



Appeal Decision

Site visit made on 15 January 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 21.02.2024

Appeal Ref: APP/P3610/D/23/3330304

58 The Kingsway, Ewell, Surrey, KT17 1NA.

- 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 and Mrs Ward against the decision of Epsom and Ewell Borough Council.
 - The application Ref 23/00702/FLH, dated 9 June 2023, was refused by notice dated 7 August 2023.
 - The development proposed is described as a two-storey front extension. Extension of existing loft with the addition of a front facing dormer window.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - a) the effect of the proposed development on the architectural integrity of the host property, the street scene and the character and appearance of the wider area, and;
 - b) the effect of the proposal on the living conditions of the occupiers of 60 The Kingsway, in terms of its potential to appear dominant and overbearing.

Reasons

3. The appeal property, 58 The Kingsway, is a modest detached bungalow with a single storey rear addition.
4. The site is located in a residential area characterised by a mix of bungalows and two-storey dwellings on modest garden plots. As I saw a number of the bungalows have had their roof voids converted to provide additional accommodation, some incorporating dormer windows, and in a few cases larger roof extensions in various traditional forms.
5. It is proposed to extend and alter the existing bungalow to form a part single part two-storey house. Number 58 is located between a similar modest bungalow and one that has previously been converted and altered to provide roof space accommodation.

First main issue:

6. The three-dimensional form of the bungalow as extended would be an uncomfortable amalgam of various pitched and flat roofs, generally unrelated to the form and design of either the host or neighbouring properties. I consider therefore given the resulting overall form and massing of the bungalow as extended it would appear as a dominant and discordant insertion in the street scene.
7. I agree with the appellants that a contemporary design can often be a successful design solution when altering and extending traditional vernacular styled properties. However, the design does need to have proper regard to the scale, form and relationship to the host and neighbouring properties as well as, the street scene. Of particular concern in this case would be the appearance of the side elevations. As illustrated, they would, due to the proposed roof form and lack of any modulation appear both bland and unattractive when viewed from the street.
8. In my judgement, and while having regard to the fact that the area is not subject to any special townscape designations, the proposed extension and alterations would, due to the proposed design, cause significant harm to the architectural integrity of the host property, the street scene and the character and appearance of the wider area.
9. To allow the development would therefore be contrary to the objectives of the National Planning Policy Framework (the Framework), Policy CS5 of the Epsom and Ewell Borough Council Local Development Framework Core Strategy (Adopted 2007) (CS) and Policies DM9, DM10 of the Epsom and Ewell Borough Council Development Management Policies Document (Adopted September 2015) (DM) and the general guidance in the Householder Applications Supplementary Planning Guidance 28 January 2004 (SPG) as they relate, along with other things, to the quality of development, the need for it to be attractive and for it to relate to local distinctiveness that complements the attractive characteristics of the area.

Second main issue:

10. The new western flank elevation of the dwelling as extended would be approximately 5.0 metres high and only be about 1.3 or so from the common boundary to number 60. Given the height of the flank wall of the dwelling as altered, its proximity to number 60 and the diminutive form of number 60, I consider that it would appear as a visually dominant and overbearing intrusion.
11. However, given that the bulk of the building as extended would align with number 60, and taking into account the existing covered side passageway I am not persuaded that the development would have a significant harmful impact on the occupiers of number 60 The Kingsway.
12. I therefore conclude in respect of the second main issue that the proposed development would not cause significant harm to the living conditions of the occupiers of number 60 The Kingsway, in the terms identified by the Council, therefore it would accord with the aims of the Framework, DM Policies DM9 and DM10 as well as the SPG as they seek, along with other things, to protect residential amenity.

Other Matters

13. My attention has been drawn to numbers 50 The Kingsway, a large and visually dominant chalet styled dwellings located between two modest bungalows. Whatever the background to that case, and the other large chalet bungalows identified, the existence of a large dwellings nearby is not an appropriate justification for permitting another here. In any case I have considered the appeal proposal on its individual planning merits.
14. I acknowledge, that while it would be for the Council to consider in the first instance, a conversion to a two-storey dwelling house may well represent a realistic material fallback position here. However, in this case it is not necessarily the scale of extension that is the concern but its design and design detailing in relation to the host and neighbouring properties. I consider, therefore the design of the proposed extension before me to be so harmful as to outweigh the substantial weight I can attached to the fallback position, which may in any case, when it comes forward to be of a more appropriate design.
15. I agree with the appellant that the proposed addition would not be likely to result in overlooking of neighbouring properties. I appreciate that the Council raised no objection on the grounds of access or car parking. I also note that the local planning authority found no harm to the living conditions of the occupiers of number 56. However, the absence of harm is a neutral factor in my considerations and, as such, I have given these matters very little weight in my decision.

Conclusions

16. I have found that the proposal would not result in harm to the residential living conditions of the occupiers of number 60. However, it would cause significant harm to the architectural integrity of the host property, the street scene and the character and appearance of the wider area. These are, nevertheless, compelling objections to the proposed development and therefore, for the reasons given above and having regard to all other matters raised, including the lack of objection from third parties, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR