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## Appeal Decision

Site visit made on 19 June 2024

**by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 July 2024**

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**Appeal Ref: APP/P3610/D/24/3341016**

**81 Park Avenue East, Stoneleigh, Surrey, KT17 2PA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr C Guest against the decision of Epsom and Ewell Borough Council.
  - The application Ref is 23/01285/FLH.
  - The development proposed is new first floor extension with a hip and pitched roof and new entrance porch canopy and new pitched roof to existing single story extension.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of new first floor extension with a hip and pitched roof and new entrance porch canopy and new pitched roof to existing single story extension at 81 Park Avenue East, Stoneleigh, Surrey, KT17 2PA, in accordance with the terms of the application Ref 23/01285/FLH and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, 81PAE-100, 81PAE-101, 81PAE-102, 81PAE-103, 81PAE-104 and 81PAE-105.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
  - 4) The first-floor windows in the side elevations of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

### Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of neighbouring residents.

## Reasons

3. 81 Park Avenue East is a detached bungalow with hipped roof dormer windows in the roof to all elevations and a single storey rear extension. It is located on the corner with Cunmor Gardens in an established residential area. The surroundings include a variety of house sizes, styles and forms, including two storey houses and bungalows, many of which have large scale extensions.
4. The relevant policies in this case include CS5 of the Core Strategy 2007 (the Core Strategy) and DM9 and DM10 of the Development Management Policies Document 2015 (the DMPD) which require high quality design for all development and, among other things, seek to reinforce local distinctiveness and respect the prevailing development typology, including house types and sizes, scale, height, massing and roof form. Proposals should also have regard to the amenities of occupants and neighbours in terms of matters including outlook and light.
5. The Council's Supplementary Planning Guidance *Householder Applications* 2004 (the SPG) contains specific advice for proposals for house extensions. Among other things, extensions should respect the character of the area and protect the privacy and amenity of neighbouring properties. Two storey extensions should be set at least 1m from the side boundary with no clear glazed windows in the side elevations at first floor level.

### *Character and appearance*

6. Although the proposed increase in roof height of 1.1m is relatively modest, the overall width and depth of the building would be increased and the proposal would therefore result in a much bulkier appearance than the existing building. However, I consider that the increase in height and mass would not appear out of proportion in the context of the varied house forms in the immediate vicinity, particularly the two storey houses opposite on Park Avenue East and on the opposite corner of Cunmor Gardens.
7. Although the site is in a prominent location on the corner, the proposal would not appear out of keeping in the local context. The plot is large enough to accommodate the enlarged building and the existing building line along Park Avenue East would be maintained.
8. I conclude that the proposal would not harm the character and appearance of the building itself or the wider street scene and that in this respect, it is consistent with policies DM9 and DM10 of the DMPD and policy CS5 of the Core Strategy and the SPG.

### *Living conditions*

9. The existing bungalow is located close to the side boundary with 83 Park Avenue East which is a bungalow with dormers to front and rear and a window in the gable end at the upper floor level. It has a single storey side extension which is immediately adjacent to the shared boundary, runs the full length of the building and projects into the rear garden. The proposed first floor side elevation would be approximately 1m from the shared boundary in accordance with the advice in the SPG.
10. I consider that the separation between the proposed side elevation and the main part of No. 83 provided by the intervening single storey extension to

No. 83 would be sufficient to maintain an acceptable level of outlook and privacy for the occupiers of the latter. The gable end window faces existing dormer windows in No. 81 which serve a landing and an ensuite bathroom and these would be replaced by obscure glazed windows also serving a landing and an ensuite, resulting in a similar level of privacy. No. 83 lies to the south of No. 81 and I consider that the proposal would not result in any significant increase in overshadowing.

11. I conclude that the proposal would not harm the living conditions of the occupiers of the neighbouring property and that in this respect, it is consistent with policies DM9 and DM10 of the DMPD and policy CS5 of the Core Strategy and the SPG.

12. For the reasons given above, the appeal is allowed.

### **Conditions**

13. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development and a condition requiring obscure glazing in the windows of the upper floor is necessary to ensure the privacy of neighbouring residents.

*PAG Metcalfe*

INSPECTOR