



Appeal Decision

Site visit made on 9 July 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2024

Appeal Ref: APP/K3605/D/24/3342595

1 Old Oak Close, Cobham, Surrey KT11 2TF

- 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 Weisser against the decision of Elmbridge Borough Council.
 - The application Ref is 2023/3287.
 - The development proposed is a single-story rear extension, garage conversion including first floor side extension over garage, porch reconfiguration, new exterior finishing and windows upgrade.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed first floor side extension on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 12 and 14 Copse Road, with particular reference to outlook and privacy.

Reasons

Character and appearance

3. Old Oak Close is a small cul-de-sac of four detached properties accessed from Copse Road with a gradient that inclines upwards from its access. The appeal site has a visually prominent position, as it is the first two storey building visible when entering the close.
4. Despite some variety in materials and form, the properties within the close have a pleasing sense of cohesion due to proportions and design cues. Each dwelling has a front facing projecting two storey element, adjacent to a wider front facing elevation set back from the two-storey section, containing the entrance. The properties also have single storey double garages subservient to the dwellings.
5. Whilst the proposal retains the width of the garage, the proposed increased height would negatively alter its subservient nature. This would result in the proposal appearing disproportionately large and negatively affecting the characteristic proportions of the properties within the close. Despite preserving the side space of the plot and there being no terracing effect, the proposed overall width of the property, would unacceptably increase the massing of the

dwelling compared to other properties in the close. This would erode the sense of cohesion that these properties possess and fail to maintain the spatial characteristics of the locality.

6. Despite the proposed development having a ridge height lower than the existing dwelling, correlating with the slope of the land, the disproportionately large nature of the proposal would be accentuated by the gradient of the site. The incline results in the proposal having a large vertically elongated front elevation, as a result of retaining the ground floor level across the slope of the site. This would result in a visible imposing profile when viewed from the entrance of the close at a lower level.
7. Whilst the proposed development is set back from the front elevation and the proposed materials, position and orientation of the extension relative to the dwelling would be acceptable, these factors do not overcome the harm arising from the scale of the proposed development.
8. For the reasons identified above, I conclude that the proposed development would harm the character and appearance of the area. The proposed development is therefore contrary to Policies CS10 and CS17 of the Core Strategy 2011 and Policy DM2 of the Development Management Plan 2015. These policies seek to ensure good design and require development to preserve and enhance the character of the area.
9. There would also be conflict with the policies of the National Planning Policy Framework 2023 and the National Design Guide 2021 which seek to achieve well-designed development. Also, the Council's Home Extensions SPD 2012 which advocates the importance of respecting existing proportions and extensions being subordinate to the existing building.

Living conditions

10. The side boundary of the appeal site adjoins the rear boundaries of the semi-detached properties on Copse Road and is demarcated by a fence. Vegetation runs along the boundary, slightly exceeding the height of the fence with the height of the vegetation increasing towards the end of the rear garden of the appeal site. The properties on Copse Road have narrow modest gardens and are located on significantly lower ground compared to the appeal site.
11. The side of the proposed first floor side extension and rear extension would run parallel to the rear of 12 and 14 Copse Road where the vegetative screen is lower. As a result, the flank elevation of the proposed development would be visible from the rear gardens of 12 and 14 Copse Road. The garage at the appeal site is the only form of development to the rear of the properties on Copse Road. Therefore, the proposal with its greater depth and height would introduce a distinctly different built form to the rear of these properties. As a result of the increased bulk and mass of the proposal, it being on higher land, its proximity to the shared boundary and the modest narrow nature of the rear gardens on Copse Road, the side elevation of the proposal would appear overbearing when viewed from the rear gardens of 12 and 14 Copse Road.
12. The proposal increases the height of the existing fence and proposes a timber screen to ensure privacy, this screen would obscure views from and into the appeal site. As a result, the proposed screen would ensure an acceptable level of privacy between properties. However, the presence of a slatted timber

screen at this level, given its proximity to the boundary, would be prominent in the outlook and appear as an incongruous feature that would add to the overbearing nature of the proposed development. The increased height of the existing fence would not restrict the views from the upper section and top of the staircase but the proposed screen addresses this.

13. With reference to privacy, the proposed development would have an acceptable effect on the living conditions of the occupiers of 12 and 14 Copse Road. As such it would not conflict with Policy DM2 of the Elmbridge Development Management Plan 2015 and the Framework
14. For the reasons identified above, I conclude that the proposed development would harm the living conditions of the occupiers of 12 and 14 Copse Road, with reference to outlook. The proposed development is therefore contrary to Policy DM2 of the Elmbridge Development Management Plan 2015 and the Framework.

Conclusion

15. The proposal conflicts with the development plan and the material considerations before me do not indicate that the appeal should be decided other than in accordance with it.

V Goldberg

INSPECTOR