



Appeal Decision

Site visit made on 24 September 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 11 October 2024

Appeal Ref: APP/K3605/D/24/3343392

49 Avondale Avenue, Esher KT10 0DB

- 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 S Basra against the decision of Elmbridge Borough Council.
 - The application Ref is 2023/3333.
 - The development proposed is proposed first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for proposed first floor side extension at 49 Avondale Avenue, Esher KT10 0DB in accordance with the terms of the application, Ref: 2023/3333, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 1742/01.

Preliminary Matters

2. Both the appellant and the Council have referred to a previous appeal decision at the appeal property under the Ref: APP/K3605/D/17/3182580 dated 29 January 2018, which refused permission for a first floor side extension and which I determined. The appeal now before me is for a different proposal which I shall consider on its planning merits as I am required to do.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and on the local area.

Reasons

4. The appeal property is a detached dwelling on the east side of Avondale Avenue and within a predominantly residential area, comprising a variety of detached dwellings. Many have been altered and extended, including the appeal property but the presence of front gable projections with cat slide roofs are recurring features in the street scene. The spacing between properties varies with some much closer than others but, where present, the cat slide roofs do assist in maintaining a sense of separation.
5. There is as existing a relatively narrow gap between the appeal property and its immediate neighbouring property to the south, at No 51, with the appeal property at ground floor being built up to the common boundary. Although the gap between the two properties is therefore limited at ground floor, the spacing is increased above because of the catslide roof to the appeal property.
6. The proposed extension seeks to extend to the side but would set back the extension by 1m to retain the appearance of the cat slide roof at the front. The flank elevation to the extension would be raised vertically approximately to eaves level of the existing property and the roof pitched to join the existing ridge level.
7. Whilst there would be a small increase in the vertical element, the combined effect of the set back behind the cat slide roof and the angle of the pitched roof would assist in maintaining a clear separation with the adjacent property. Whilst the change from the previously refused scheme appears relatively modest, I consider that the revised design has overcome the concerns raised previously and has ensured that the property as proposed to be extended would maintain, particularly in street scene views, separation from the adjoining property to the south. There would be no terracing effect.
8. I am therefore satisfied that the proposed extension would respect the character and appearance of the existing property and of the local area and would not create a terracing effect. There would be no conflict with Policy CS17 of the Council's Core Strategy, Policy DM2 of the Council's Development Management Plan, the Council's Design and Character SPD and the National Planning Policy Framework and in particular Section 12, all of which, amongst other matters, seek a high quality of design which respects the local context.
9. The proposal would not strictly comply with all the guidance in the Council's Design and Character Supplementary Planning Document Companion Guide: Home Extensions and in particular at 1.2.1 on side Extensions. However, in the particular circumstances of this case and for the reasons set out above I am satisfied that there would be justification for an exception to be made to these parts of the SPD Companion Guide.
10. The appellant has drawn my attention to other extensions and alterations which have been undertaken in the vicinity, but my assessment is based on the planning merits of the proposal before me.

Other Considerations

11. A neighbour on the western side of Southwood Gardens raised concerns about the proposal blocking sunlight to properties in the vicinity. There is no technical information before me. However, taking into account the scale and form of the extension proposed in relation to the scale and form of the

existing built development in the vicinity, I do not consider that there would be any material effect on daylight and sunlight to nearby properties. There would be no material impact on the living conditions of surrounding neighbours in this regard. The Council also raised no concerns on this matter.

12. The Council has referred to alternative pre-apps which have been submitted by the appellant, but my consideration is only in respect of the proposal before me.

Conditions

13. In terms of conditions, materials should match the existing to respect the character and appearance of the existing property and of the local area, and the approved plans should be listed for the avoidance of doubt and in the interests of good planning.

Conclusion

14. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR