

Appeal Decision

Site visit made on 4 September 2024 by M Long BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2024

Appeal Ref: APP/K3605/D/24/3345601

33 Fortescue Road, Weybridge, Surrey KT13 8XF

- 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 Juan Carlos Melendres against the decision of Elmbridge Borough Council.
 - The application Ref is 2023/3410.
 - The development proposed is a single-storey rear/side extension with hip-to-gable roof extension incorporating front and rear dormer windows and front roof light following demolition of existing detached garage.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 10 October 2024.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers at 34 Fortescue Road (No 34) and 29 Fortescue Road (No 29) with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

4. The appeal dwelling and No 34 form a semi-detached pair of bungalows with large rear gardens. The pair sit within a group of similar semi-detached bungalows that have centrally positioned front entrances with modestly scaled front projections to each side which give them a distinctive U-shaped arrangement. Similar pairs are also located on other parts of Fortescue Road. Even though some of these pairs have been extended, including through hip-to-gable conversions, the front projections more often act as distinctive bookend features which provide for an overriding balance and symmetry to their respective pairs.

5. Fortescue Road also includes other housing styles including semi-detached pairs of different designs and detached dwellings. For example, No 29, which neighbours the site, is a two-storey detached house of unique architectural design. Even so, the prominence of the distinctive U-shaped, semi-detached pairs positively contributes to the overall order and consistency of the street scene.
6. Even though the proposal would not greatly expand the footprint of the host dwelling, the hip-to-gable roof extension above the proposed single-storey side and rear extension would add considerable mass to the dwelling at roof level. It would extend the main roofline beyond the side elevation, thus making the front projection a more central feature on the host dwelling. Consequently, this would unacceptably unbalance the semi-detached pair and would appear at odds with the similar characteristic pairs on Fortescue Road. The placement of dormers to either side of the front projection would emphasise its contrasting design and greater width at roof level and so would further exacerbate the proposal's unbalancing effect.
7. My attention has been directed to approved extensions at other properties on Fortescue Road, including hip-to-gable conversions with rear dormers. Some of these relate to dwellings with a different aesthetic to the appeal dwelling. From the submitted evidence, the extensions to the semi-detached pairs of a similar design style to the appeal dwelling generally do not involve considerable extensions to the roofline beyond the side elevation of the distinctive front projections. Therefore, they are not comparable to the overly dominant design of the proposed development which would significantly detract from the balance of the respective semi-detached pair and its resemblance to similar pairs in the street.
8. I conclude that the proposal would result in harm to the character and appearance of the area. In that regard, it would conflict with Policies CS4 (Weybridge) and CS17 (Local Character, Density and Design) of the Elmbridge Core Strategy (2011) and Policy DM2 (Design and amenity) of the Elmbridge Local Plan: Development Management Plan (2015) (DMP) which seek high quality design that integrates with and enhances local character.
9. For the same reasons, the proposed development would also conflict with the National Planning Policy Framework (the Framework) which seeks to ensure developments are sympathetic to local character. The proposal also conflicts with the Design and Character Supplementary Planning Document Companion Guide: Home Extensions (2012) (SPD), which sets out that extensions should not dominate or overwhelm the existing or neighbouring properties. Furthermore, the proposal would not be consistent with the principles set out in the National Design Guide (2019) which, in regard to context, sets out that well-designed places are integrated into their surroundings so that they relate well to them.

Living conditions

10. While the rear extension would add significant mass at the roof level, it would only project a modest distance beyond the rear elevation of No 34. Taking this into account, alongside the existing tall boundary treatment and large rear garden of this attached neighbour, there would not be an undue reduction of outlook available from the rear openings or garden area serving No 34.

11. Even with the drop in land levels, the set away position of No 29 from the appeal dwelling would mean its windows that face towards the site would retain a sufficient level of outlook. Also, the existing large outbuilding at No 29 would partly obscure views of the proposal from this neighbouring plot which together with the degree of separation from the proposed development would prevent it from having an overbearing effect.
12. I conclude that the proposal would have an acceptable effect on the living conditions of neighbouring occupiers at Nos 29 and 34 with particular regard to outlook. It would therefore accord with Policy DM2 (Design and amenity) of the DMP in so far as it seeks to protect the amenity of adjoining occupiers by ensuring development proposals offer an appropriate outlook. The proposal would also accord with the high standard of amenity requirement set out in the Framework.

Other Matters

13. As mentioned in the officer's report, any privacy concerns relating to the proposed window in the side elevation facing No 29 could be mitigated by a condition to ensure obscure glazing and restricted opening.
14. Privacy concerns have been raised in relation to 11 Bridge Road which is situated to the rear of the site, particularly in terms of the proposed first-floor rear windows and Juliet balconies. From my own observations on site, and even factoring in relative levels, the separation distances would ensure that the proposal would not give rise to undue overlooking of the windows or rear garden area serving that neighbouring property. I also note that the Council did not identify any harm to the living conditions of occupiers of this neighbouring property.
15. The extended appeal dwelling would be unlikely to result in noise levels beyond those usually associated with a single residential dwelling. A condition could be utilised to prevent the use of the flat roof as a balcony in order to prevent any unacceptable overlooking of neighbouring properties. As such, the proposal would not conflict with the SPD in so far as it seeks to preserve the amenities of neighbours.
16. The proposal would increase the quality of living accommodation for the appellant and their family. However, this is a private benefit to a single household which does not override the identified harm to the character and appearance of the area.
17. It has been suggested that the proposal would make effective use of the land, use high-quality materials, be energy efficient and provide economic benefits, including for local tradespeople and in respect of any Council tax increases resulting from the host dwelling's increased size. However, given that the proposal relates to a single dwelling, any such benefits would only be limited, and they do not justify the harm identified under the first main issue. The lack of harm identified to ecology is of neutral consequence rather than being a benefit of the scheme.

Conclusion and Recommendation

18. I have found that the proposal would not be harmful to neighbouring living conditions. However, the proposal would be harmful to the character and appearance of the area and in that regard would be contrary to the

development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR