



Appeal Decision

Site visit made on 9 December 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/K3605/D/24/3350434

98 Burwood Road, Hersham, Walton on Thames, Surrey KT12 4AP

- 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 Adrian Gordon against the decision of Elmbridge Borough Council.
 - The application Ref 2024/0581.
 - The development proposed is for a single storey rear extension with glass box; two storey side extension on the north-east side with a first floor side addition over the garage; two storey side extension on the south-west side; loft conversion with dormer and Velux windows; new open porch at the front of the house and replacement of all windows and doors.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: -
 - the character and appearance of the host property and the surrounding area; and
 - the living conditions of the occupiers of the neighbouring property with particular regard to light and overbearing impact.

Reasons

Character and Appearance

3. No.98 is part of a row of large, detached properties on the northern side of Burwood Road opposite the cemetery. The area has a semi-rural character with the presence of trees and vegetation to the frontages. The properties vary in style, although they are primarily of a traditional form, and whilst they generally extend across the full width of the plot at the ground floor, there is a sense of spaciousness and a low-density appearance along this stretch of the road.
4. The appeal property has a symmetrical form with a hipped roof and single-storey elements to the sides. The proposed extension to the northeastern side over the garage would create a forward projection with a gabled roof form. The ridge line would be set down, although it would be wide proportionally to the host property and would extend along the side boundary. Its prominence would also be accentuated by the introduction of zinc to the extended main

- roof, and while this first-floor extension aligns with the existing garage, it would be a discordant and prominent addition with its visual presence accentuated by its forward siting and the materials.
5. The Council's Design and Character Supplementary Planning Document Companion Guide: House Extensions (SPD) encourages at least a 1-metre separation to the boundary, which would not be achieved to this side, and the offset of the neighbouring property is also limited. Due to the differing roof forms, there would be a small triangular gap at the roof level although in my view, this would not be sufficient to provide any meaningful space, and the presence of the existing landscaping providing screening does not diminish the contribution of the visual gaps to the character of the area.
 6. The appellant refers to limited gaps between properties which have been allowed elsewhere. The full details of these other cases are not before me, although I acknowledge that many of the neighbouring properties have been extended, and there are some substantial properties with only small gaps to the boundaries. There is, however, generally a single-storey element or space to at least one side which helps to maintain a visual distinction between the detached houses, and the specific relationship between each property and its neighbour needs to be assessed on its own merits. With reference to some of the examples identified by the appellant, No.78 is located at the end of a row adjacent to Eastwick Road, and Nos.90 and No.92 effectively have handed 'L' shaped forms with the lengthy flank elevation aligning. Therefore, the relationships are not directly comparable.
 7. The appeal proposal also includes a range of other alterations to the property which together significantly alter its appearance. The extensive box-style dormer proposed to the rear would add significant bulk to the roof level. Due to its scale, positioning and materials, it would be an incongruous and dominant addition which would consume the existing property.
 8. I accept that some variation to the form of an existing property and different materials can be successfully integrated as part of an extension. The buff brick of the appeal property is already different to the prevalence of red brick in the area, and I observed the introduction of render to recent developments nearby. Nevertheless, zinc and grey render are not materials found in the locality, and whilst the introduction of such features may be appropriate, in this case, I find that the extent and positioning of these elements add to the visual discordance of the proposed alterations.
 9. Overall, I find that in combination, the scale, form, design and materials of the extensions would fail to harmonise with the existing property and would result in an incongruous development, which would erode the spacing around the property and would be harmful to the character and appearance of the area. It would thereby conflict with policy CS17 of the Elmbridge Core Strategy 2011 (CS) and policy DM2 of the Elmbridge Local Plan -Development Management Plan (2015) (DMP) which seek high quality design with development that integrates with and enhances local character.
 10. 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

be sympathetic to and not dominate the original house and maintain the character of the area.

Living Conditions

11. The extension to the rear beyond the existing elevation would be single-storey. The annotation on the application plans shows a 45-degree line extending from the edge of the extension rather than from the neighbouring property, which, if taken from the nearest window in the rear façade of No. 96, would be breached by the depth of the extension. However, given the limited height of the flat roof extension and the presence of a well-established high hedge along the boundary, I do not find that this aspect of the proposed development would have a significant overbearing impact or further restrict light to be harmful to the neighbour's living conditions.
12. While the Council refer to the 15m referenced in the SPD in relation to the 45-degree, this is a guide to indicate the distance to apply the test for two-storey development, it does not necessarily follow that all development within such proximity would be harmful. The majority of the proposed two-storey extension would be along the existing flank and to the roof. The rear elevation of No.96 is not set as far back as the appeal property, but the projection of the additional two-storey form would be limited, and the rear section is to be inset. As such and given that the side window referenced by the Council is noted to be 9.2m from the boundary and a secondary window, I do not consider light to it would be materially affected by the development.
13. I, therefore, conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of the neighbouring property, No.96. Thus, the development would accord with DMP policy DM2 in so far as it seeks to protect the amenity of adjoining occupiers by ensuring development proposals offer an appropriate outlook and provide adequate daylight, sunlight and privacy.

Other Matters

14. The Council's decision notice also included a reason for refusal due to the lack of arboricultural information. There are no trees within the appeal site close to the existing property. However, there is a range of boundary hedging and trees within the neighbouring plots close to the boundary. The appellant indicates that the existing landscaping is to be retained, but there are no details provided, and the existing trees and hedges should be appropriately protected during construction. As I have found against the appeal on other matters, this is not a determinative issue and could have potentially been addressed by securing further details.

Conclusion

15. While I have found the proposal would ensure the living conditions for the occupiers of No. 96 are maintained, the proposed development would be harmful to the character and appearance of the host property and the surrounding area. There would be a conflict with CS and DMP policies, and there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
16. The appeal is therefore dismissed.

G Ellis

INSPECTOR