



Appeal Decision

Site visit made on 14 March 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2025

Appeal Ref: APP/K3605/D/24/3354420

18 Chaucer Avenue, Weybridge, Surrey KT13 0SS

- 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 Naresh Dwadasi against the decision of Elmbridge Borough Council.
 - The application Ref is 2024/1776.
 - The development proposed is the extensive remodel and extension to detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on the character and appearance of the host property and area, and the living conditions of the occupants of 16 Chaucer Avenue, with particular regard to outlook and access to sunlight and daylight.

Reasons

Character and appearance

3. Chaucer Avenue is generally characterised by rows of 2 storey detached dwellings that are set back from the road behind relatively deep frontages, often containing verdant planting, and in generally tightly spaced rows. Although of mixed designs, the dwellings are built to similar heights and 2 storey proportions. Window apertures tend to be of consistently modest sizes and regular proportions, giving a relatively high ratio of walling to glazing and a clear sense of solidity to the buildings. Together, these characteristics give Chaucer Avenue a consistent and traditional suburban character and appearance. The appeal property's scale, form and traditional appearance closely reflect and positively reinforce the prevailing character and appearance of the area.
4. The shape of the proposed front gable's outline would be reflective of the host dwelling's gabled form. However, the shape and uniformity of the large expanse of glazing to the proposed gable's façade would be significantly out of keeping with the styles and sizes of window openings in the host dwelling and street scene. It would give the gable a strikingly 'modern' appearance that would contrast starkly with the understated solidity of the appeal dwelling's traditional appearance and those in the street scene. Whilst the brightness of the rendered finish of the gable could be diminished by alternative materials, it would not alter the expanse of glazing, nor my conclusion on this element of the proposal.

5. Given that the appeal site slopes up from the road, the proposed basement level to the appeal dwelling's façade, together with the garden's proposed retaining wall, would be clearly visible in street level views, particularly along the driveway. The engineered retaining wall and the reduction in the level of the driveway would draw the eye towards the basement level.
6. In its proposed extended form, the basement would result in a sizeable part of the appeal dwelling's façade having an obvious 3 storey appearance of considerable scale and massing. This would contrast markedly with the consistent 2 storey proportions of the appeal dwelling's façade and those of the dwellings on Chaucer Avenue, resulting in a harmfully dominant building out of scale with those in the street scene. Finishing the basement level and the retaining wall in dark coloured materials would be insufficient to disguise its scale and massing in the street scene.
7. Due to the appeal dwelling's elevated position the existing planting in front gardens, which includes a few trees and evergreen species, would do little to screen or filter the proposed extensions in street level views, particularly along the driveway. There is limited evidence to demonstrate that additional planting would grow to a height and thickness to offer any meaningful screening of the development. Furthermore, there is little to convince me that a future occupier would not seek to thin out any planting or reduce it in height.
8. I acknowledge that the roof line of the appeal proposal would not be significantly taller than the existing dwelling and would retain the stepped transition of roof levels in the street scene. The width of the plot could accommodate the proposed extensions, whilst providing adequate spacings between them and the flanking dwellings and respecting the established building line. Good sized front and rear gardens of comparable sizes and proportions to those in the locality would be retained.
9. However, the appearance of the proposed front gable when taken together with the overall scale and massing of the 3 storey element of the proposed extension would give the appeal dwelling an unduly dominant and discordant presence in street level views. Consequently, it would harmfully erode the consistent suburban character and appearance of the area that is established by the rows of 2 storey dwellings of traditional appearances.
10. Numbers 20 and 26 Chaucer Avenue have been extended, and their white coloured walls and dark grey window frames are, to a small degree, reflective of a more modern appearance. However, unlike the appeal proposal, neither have large expanses of glazing or a visible basement that reads as a 3 storey element. They are 2 storey dwellings that have retained modestly sized window apertures of regular proportions and are visually consistent with the traditional appearances of the dwellings in the street scene. As such, they do not set a visual context in which the scale, massing and appearance of the appeal proposal would be satisfactorily absorbed into. They are of limited relevance and weight to my considerations of the individual merits of the appeal proposal.
11. Consequently, the proposed extensions would fail to harmonise with the appearance of the host dwelling and the consistency of those in the streetscape, contrary to those general principles for house extensions in the Elmbridge Borough

Council Design and Character Supplementary Planning Document Companion Guide: Home Extensions, April 2012 ("the SPD").

12. Whilst Policy CS17 of the Elmbridge Core Strategy, July 2011 ("the ECS") supports innovative contemporary design as a matter of principle, this is subject to a specific proposal integrating sensitively with the local townscape and improving local character. For the reasons given above, the appeal proposal would not achieve these policy objectives.
13. In order to achieve vehicular access to the proposed basement garage, the appeal proposal appears to involve lowering ground levels within a sizeable proportion of the root protection area (RPA) of a modest Cherry Tree that is growing on the frontage of 16 Chaucer Avenue (Number 16). Policy DM6 of the Elmbridge Local Plan Development Management Plan, April 2015 ("the ELP"), seeks to, amongst others, retain existing trees and integrate them into development.
14. The submitted Arboricultural Report (AR) appears to contradict the submitted drawings by stating that there will be no change in land levels within the root areas of trees, and that no hard surfacing will be removed or installed within the RPA of the Cherry Tree. The appellant does not appear to dispute this but refers to the lack of an objection from a Council consultee described as 'trees'. However, I cannot be satisfied on the evidence before me that the consultee was aware of the apparent inconsistency between the drawings and the AR. The Cherry Tree makes a small contribution to the cumulative verdancy of the planting within front gardens, which is a characteristic of the street scene. If it was lost through the appeal scheme, it would only add to my overall conclusion that the proposed development would harm the character and appearance of the area.
15. Taking all the above into account, I conclude on this main issue that the proposed development would cause significant harm to the character and appearance of the host property and area. Therefore, it would be contrary to ECS Policy CS17 and ELP Policy DM2, insofar as they require well designed development that preserves or enhances the character of an area, with particular regard to its appearance, scale and mass, and taking account of the SPD's design guidance.
16. The appeal development would also conflict with Paragraph 135 of the National Planning Policy Framework ("the Framework") which states that planning decisions should ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment. The appellant refers to the National Design Guide as emphasising the importance of well-designed buildings that respect and enhance the character of an area. For the reasons given above the proposal would not achieve this.

Living conditions

17. The proposed extension would bring the 2 storey flank wall of the appeal dwelling closer to the common boundary with Number 16 and the wide clear glazed first floor window in its side facing flank wall. This window is set back some distance from the common boundary and the evidence suggests it serves a bedroom. I have little evidence to demonstrate that the proposed extension would cut across a 45-degree line drawn from this window in accordance with the guidance in the SPD.

18. I have therefore judged the proposal on the evidence before me. In doing so I am satisfied given the distance of separation between them and the wide dimensions of the bedroom window, that even if the proposed extension was built, the occupiers of Number 16 would continue to obtain relatively wide-angle views from out of this bedroom window, including longer distance views across the front garden of the appeal property and beyond. Consequently, the proposed extension would not be so close as to have a dominant or oppressively overbearing effect on the occupiers' outlook from this side facing bedroom window.
19. The side facing windows in the flank wall of Number 16, including the relatively wide first floor bedroom window, are roughly northwest facing and unlikely to receive much direct sunlight for most of the day. I have no substantive evidence to the contrary. I am satisfied that adequate levels of daylight, along with direct sunlight in the late afternoon/early evening, would continue to reach the side facing first floor bedroom window in Number 16, given the distance of separation and relationship between this window and the proposed extension.
20. For these reasons, I conclude on this main issue that the proposed extension would not have an oppressive and overbearing effect on the outlook of the occupiers of Number 16, and it would maintain adequate access to daylight and sunlight to that property in accordance with the overarching principles in the SPD. The appeal proposal would therefore be consistent with the ELP Policy DM2, insofar as it requires development to protect the amenity of adjoining occupiers, including through being designed to offer an appropriate outlook and provide adequate daylight and sunlight.

Other Matters

21. The appeal proposal would be energy efficient and generate renewable energy, helping to reduce carbon emissions in accordance with the objectives of ECS Policy CS17 and the Framework. It would make more effective use of the appeal land and would enhance the quantity and quality of living accommodation for its occupiers. However, given the small scale of the proposal these benefits carry limited weight in its favour and would be outweighed by its visual harm. Land in built-up areas such as residential gardens is excluded from the Framework's definition of previously developed land and therefore such land would not be reused by the proposed development.

Conclusion

22. The appeal proposal would not harm the living conditions of nearby occupiers. It would deliver environmental benefits and enhance the living conditions of its occupants. However, for the reasons given, it would cause significant harm to the character and appearance of the area, sufficient to outweigh the benefits and bring the development into conflict with the development plan as a whole. There are no material considerations of sufficient weight to outweigh this finding. Consequently, the proposed development is not acceptable, and the appeal is dismissed.

G Sylvester

INSPECTOR