



Appeal Decision

Site visit made on 25 September 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/K3605/D/25/3369107

200 Fleetside, West Molesey, KT8 2NJ

- 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 Miss Geethi Khoramistani against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/0703.
 - The development proposed is for a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. In their appeal statement the appellant refers to a new plan which shows the proposed extension with a sloping roof. As this would amount to a material change to the proposal it falls outside the scope of this appeal. Accordingly, for the avoidance of any doubt I confirm that this decision is based solely upon the proposal the council based their decision on.

Main issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of 199 and 201 Fleetside (No.199 & No.201), with particular regard to visual impact.

Reasons

4. The appeal property is located within a modern terrace of two storey family houses with consistent rear building lines. Some of the dwellings have single storey rear extensions of varied sizes and designs. This includes the appeal property which has a flat roofed rear conservatory which projects into the rear garden by 2.286 metres. Similarly, there is a single storey rear extension at 202 Fleetside, although there are no rear extensions at No.199 and No.202.
5. Amongst other things policy DM2 of the Elmbridge Development Management Plan 2015 (DMP) states that proposals should be designed to offer an appropriate outlook and provide adequate privacy and daylight for the occupiers of adjoining properties. The Elmbridge Design and Character Supplementary Planning Document 2012 – Companion Guide: Home Extensions (SPD), advises that a 45° angle test applies to single storey extensions which are in excess of three metres in depth and are closer than eight metres measured along a sight line from the neighbour's window. Paragraph 135 of the National Planning Policy Framework 2024 (the Framework), promotes health and well-being, with a high standard of amenity for existing and future users.

6. The proposed rear extension would replace the existing conservatory and would project six metres into the rear garden. It would be just under three metres high with a flat roof and would project up to the side boundary with No.199. The first 2.3 metres of the proposed extension would project up to the boundary with No.201 and the outer 3.7 metres would be set in from the boundary with No.201 by some 0.6 metres.
7. The proposed extension would fall within the 45° site lines of the closest ground floor rear windows at No.199 and No.201. Due to its combined depth, height and proximity the proposed extension would create a strong sense of enclosure and dominate the outlook from the adjacent ground floor windows and garden area at No.199 and to a slightly lesser extent No.201. This would materially and unacceptably detract from the living conditions of the occupiers of these dwellings.
8. The rear facing windows and adjacent garden areas of Nos. 199 and No.201 face north and so already experience restricted levels of daylight and sunlight. The proposal would reduce further natural daylight and sunlight within these rooms and garden areas. Whilst in itself this would not amount to a reason for dismissing this appeal, it adds to my concerns. This is because it would exacerbate the overbearing and enclosing impact of the proposed extension.
9. I conclude on the main issue that the proposal would have an unacceptable impact on the living conditions of the occupiers of No.199 and No.201 due to its overbearing visual impact. Accordingly, it would conflict with DMP Policy DM2, the SPD and paragraph 135 of the Framework.

Other matters

10. The terrace was designed with uncluttered front and rear elevations and the proposed rear extension is similarly uncluttered in its design and appearance. It would also be constructed from materials to match the host dwelling. As a consequence, notwithstanding its depth, the proposed rear extension would respect the character and appearance of the host dwelling.
11. Whilst I have found in favour of the appellant on this matter, it does not outweigh my concerns regarding the impact of the proposed extension on the living conditions of the occupiers of No.199 and No.201. These concerns clearly outweigh the benefits for the appellant and their family that would result from the additional accommodation. It is a matter that could be satisfactorily addressed through the imposition of conditions.
12. Finally, concern has been expressed regarding the effect of the proposed extension on the existing drain close to the boundary with No.201. This is a private matter that falls outside the scope of this appeal.

Conclusion

13. Having regard to my conclusion on the main issue and all other matters raised the appeal is dismissed.

Elizabeth Lawrence

INSPECTOR