



Appeal Decision

Site visit made on 26 November 2025

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2025

Appeal Ref: APP/K3605/D/25/3375279

46 Church Walk, Thames Ditton, Surrey, KT7 0NW

- 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 Ms Julie O'Brien against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/1565.
 - The development proposed is the erection of a first-floor rear and side extension and porch extension with minor alterations to existing side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first-floor rear and side extension and porch extension with minor alterations to existing side elevation at 46 Church Walk, Thames Ditton, Surrey, KT7 0NW in accordance with the terms of the application, Ref 2025/1565, 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 development hereby permitted shall be carried out in accordance with the approved plans: Drg Nos H25-01 01, H25-01 02, H25-01 03, H25-01 04 and H25-01 05.
 - 3) 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.
 - 4) The extension hereby permitted shall not be occupied until the new window at first-floor level facing 48 Church Walk has been fitted with obscured glazing (minimum Pilkington Level 3), and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Main Issues

2. The main issues are the effects of the proposal upon the character and appearance of the host dwelling and wider area, including the Thames Ditton Conservation Area, and upon the living conditions at 48 Church Walk with particular regard to privacy.

Reasons

Character and Appearance

3. The appeal relates to a two-storey, semi-detached dwelling set amongst a row of similar pairs on the north-west side of Church Walk, a narrow pedestrian only walkway which runs for some distance in a north-easterly direction linking Speer Road to the west with St Nicholas Church and ultimately High Street to the east. The immediate area is residential in character and sits within the Thames Ditton Conservation Area (CA) which is centred around the area's historic core. The Council's planning officer's report offers no assessment of the area's historic or architectural significance and neither does it direct me to any published record relating to the CA. Notwithstanding, I observed for myself the intimate and semi-rural character of Church Walk and the unifying features of the Victorian dwellings along its length. As a typical cottage of its type, the appeal property makes a positive contribution to the quality of the immediate townscape and wider character and appearance of the CA.
4. The appeal property is part of a group of similar paired cottages set in an echelon pattern to one side of Church Walk and behind shallow front gardens. Each pair has a single gabled elevation facing towards the path and a similarly formed subservient outrigger to the rear. No 46 has previously been extended at single-storey to the side and rear of the outrigger. The proposal would include a first-floor rear and side extension over the footprint of the existing extension. This would involve a continuation of the existing side roof slope over the addition and a reconfigured roof over the outrigger to create a small flat crown. An open sided porch is also proposed to the side elevation over the property's entrance, along with a new first-floor window on its original side elevation facing towards No 48.
5. The Council has raised no concerns regarding the proposed porch. I agree that it would be a minor and proportionate addition that would complement the existing dwelling.
6. During my visit I observed that many of the similar cottages along this stretch of Church Walk had been extended to the side and rear, including at full two-storey height in a manner of different ways. Notwithstanding, the extensions to the sides of most were well considered and proportioned, appearing appropriately subservient and respectful of the original dwelling and wider development pattern. Whilst in most cases they have inevitably unbalanced the symmetry of the original building, harm has been avoided by their recessed positions and the inability to view the full frontage of any pair due to the constrained nature of Church Walk. In every case I observed the gabled form of the building remained intact and prominent, thereby defining and maintaining its original character.
7. In a similar manner, the side addition proposed at No 46 would be set back from the dwelling's façade with a continuation of the existing roof line to the side and with materials and detailing to match. Its deeply recessed position and lower eaves height would ensure its subordination when seen from Church Walk. Any imbalance with No 44 would go unseen and, in any case would reflect how the dwellings along Church Walk have sensitively evolved. The gabled form of the semi-detached pair would remain standing proud and legible. The front garden setting of the property would remain unaltered and there would be no unacceptable

erosion of space between the appeal property and No 48. For these reasons I find the side extension would sit comfortable within the street scene.

8. I accept that the original form of the outrigger would be lost and that, when seen from the rear, there would be a noticeable increase in bulk and massing of built form at first-floor level. Notwithstanding, I do not find the scale of additions to be excessive or overtly insensitive. The use of matching materials, including contrasting decorative bands, would help to soften the overall impact of the works. Furthermore, I observed a number of alternative roof forms to the backs of many other properties resulting from a variety of additions. I saw little uniformity to the dwellings from this aspect. Given this, neither the scale of the proposed works at No 46, nor the minor flat roof element, would appear out of keeping. Moreover, the rear of the dwellings along this part of Church Walk back on to an unmade service road beyond which is a cemetery with a dense vegetative screen to its boundary. The backs of the dwellings are not open to any public views of significance.
9. Overall, I find that the proposal would appear well considered and proportionate when seen within the street scene along Church Walk, and in-keeping within the context of its rear garden setting. It would therefore preserve the character and appearance of the CA. As such there would be no conflict with the aims or objectives of the Elmbridge Design Code 2024 (EDC) or with Policies CS1 and CS17 of the Elmbridge Core Strategy (CS), adopted in 2011, or Policies DM1, DM2 and DM12 of the Elmbridge Development Management Plan (DMP), adopted in 2015, as far as between them they seek to secure high quality design that respects local character and distinctiveness and which conserves the Borough's historic environment.

Living Conditions

10. The new first-floor window would face towards No 48. The proposed elevations (Drg No H25-01 05) show the window to be glazed with obscure glass, which is clearly stated on the drawing's construction notes. With a suitably worded condition to control the glazing and opening of this window along the lines suggested by the appellant, I am satisfied that there would be no harm to the living conditions at No 48 through any overlooking and loss of privacy.
11. The window would serve a small bedroom and would compensate for loss of the room's existing window to the dwelling's original rear elevation. The Council argues that a sole primary habitable window should only face front or rear. There is no reasoned justification or policy support for such an assertion.
12. Whilst I accept that an obscure glazed window would not provide any meaningful outlook, with no evidence to suggest the bedroom would suffer unreasonable levels of natural daylight or ventilation, I am not persuaded that the living conditions overall within No 46 would be diminished by any significant degree.
13. Based on these findings there would be no conflict with the objectives of the EDC or with CS Policy CS17 and DMP Policy DM2 as far as they seek to protect the amenity of adjoining and potential occupiers and users.

Conditions

14. In the event of the appeal succeeding the Council has suggested just three conditions. In addition to the standard time limit condition, a condition requiring the

development to be carried out in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. A further condition is necessary to ensure that the development is carried out in materials to match the existing in order to safeguard the character and appearance of the area. I have also included a condition relating to the side window in order to safeguard privacy at No 48.

Conclusion

15. For the reasons given above, the appeal is allowed.

John D Allan

INSPECTOR