



Appeal Decision

Site visit made on 20 January 2026

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2026

Appeal Ref: APP/K3605/D/25/3375450

8 Langbourne Way, Claygate, Esher, Surrey KT10 0DZ

- 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 Anna Deavin against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/1408.
 - The development proposed was described as 'part two/part single-storey rear/side extension, loft conversion and alterations to fenestration following demolition of existing detached garage and removal of side chimney stack. Revised application, ref 2021/0218, previously approved.'
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Decision

1. The appeal is allowed and planning permission is granted for 'part two/part single-storey rear/side extension with rear patio/terrace, ground floor front canopy roof extension; rear dormer roof extension (including conversion of roofspace into habitable space), front and rear rooflights; hard and soft landscaping including timber fence/gate and alterations to fenestration following demolition of existing detached garage and removal of side chimney stack' at 8 Langbourne Way, Claygate, Esher, Surrey KT10 0DZ in accordance with the terms of the application, ref 2025/1408, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development in the banner heading above is taken from the planning application form. However, I note that it has been expressed differently on the Council's decision notice which describes the proposal as 'part two/part single-storey rear/side extension with rear patio/terrace, ground floor front canopy roof extension; rear dormer roof extension (including conversion of roofspace into habitable space), front and rear rooflights; hard and soft landscaping including timber fence/gate and alterations to fenestration following demolition of existing detached garage and removal of side chimney stack.' Because this more fully and accurately describes the development that is illustrated on the submitted plans and would not prejudice the parties involved, I have used it in my formal decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and area.

Reasons

4. Langbourne Way and Denman Drive which branches from it are generally characterised by pairs of semi-detached dwellings. Many of these are of asymmetric form, either as a result of set-down two-storey projections which sit to the side of just one of the dwellings in the pair or other extensions and alterations.

Similarities in typical exterior materials and common features such as two-storey bays provide for coherence to the group and for the most part, roof forms are hipped. Nevertheless, I observed gables to 17 and 20 Langbourne Way and 5 Denman Drive, as well as a half-hip to 3 Denman Drive and a double hipped roof to the side projection of 13 Langbourne Way which add some variety to the roofscape and street scene.

5. The appeal dwelling and its attached neighbour at 6 Langbourne Way are positioned broadly opposite the junction of Denman Drive with Langbourne Way. No 6 has a set-down two-storey projection to its side and single and two-storey rear projections. It is wider than the appeal dwelling which is set well in from the boundary with 10 Langbourne Way providing for generous spacing to its side which is further increased towards the street frontage given the position of the site to the inside of a curve in the road.
6. The proposal includes various extensions and alterations to the dwelling and site. The Council indicates that the main differences between the proposal and a scheme that has previously been granted permission¹, albeit now lapsed, are the addition of a rear dormer and rooflights, a change to the roof of the extensions from a hipped roof to a gable ended form and some alterations to fenestration and external materials.
7. The Elmbridge Design Code Supplementary Planning Document 2024 ('the Design Code') includes guidance that roof extensions and dormers should help maintain the style and appearance of the existing building and avoid dominating the roofscape from a wider view. It further sets out that single or two-storey extensions should either be fully integrated with the building or clearly be shown to be extensions. On a symmetrical property or a semi-detached house, an extension which is subordinate to the existing building is advisable.
8. The two-storey part of the side extension now proposed would not be set back or set down relative to the host dwelling, and its width and the roof form including a gable end to the side rather than the existing hipped design would add significant further bulk and mass. As a result, it would not reasonably be described as subordinate and would notably alter the style and appearance of the building. In these respects, it would ostensibly conflict with guidance in the Design Code. However, the guidance is just that and while it may provide an indication of harm, this is not an inevitable conclusion should a proposal not accord with its provisions.
9. In this case, I have noted above that asymmetry is a feature of buildings near to the appeal site and that there is existing variety in the roofscape and street scene. This includes examples of gable ends and contrasting roof forms across semi-detached pairs. The Council indicates that these examples are the result of use of permitted development rights or permissions which were granted prior to the adoption of current policies and guidance. Be that as it may, they are now part of the fabric of the area and their presence means that I cannot agree with the Council's comment that the general form, proportion and appearance of properties is uniform. Against this context, I find that the proposed roof form and further change to the balance of the host semi-detached pair would not in itself be unduly conspicuous.
10. Moreover, while not specifically raised by the Council, an interested party highlights that the rear corner of the two-storey extension would be positioned slightly closer

¹ Application ref 2021/0218

to the boundary with No 10 than the minimum of 1m generally sought by the Design Code. They additionally refer to examples of applications that have been refused on grounds of inadequate boundary separation. However, I do not have full details of those applications and it is therefore unclear that effects would be directly comparable to the appeal proposal. In this case, the rest of the two-storey development would be set in further, with significant spacing provided between the front of the two-storey extension and the boundary and I am satisfied that the spacing to the side of the appeal dwelling would be sufficient to balance the built form and provide a suitable degree of spaciousness. The scale of the building would not therefore appear unacceptably dominant or conspicuous on the plot, and there would not be an uncharacteristic impression of terracing.

11. I acknowledge that the proposal would notably increase the scale and massing of the appeal dwelling and that it would significantly alter the balance of the host semi-detached pair which occupy a relatively prominent position on a bend opposite the junction with Denman Drive. Even so, the pair are already asymmetric and taking the above factors together, I find having regard to the particular circumstances of the appeal site that the development would not appear discordant or awkward such that there would be unacceptable harm to the character or appearance of the host building. Nor in my judgement would it dominate the wider roofscape or cause harmful disruption to the rhythm or character of the surrounding streetscape.
12. I therefore consider that a departure from the detailed guidelines in the Design Code is in this case justified.
13. Subject to clarification of the intended materials to the rear dormer and first floor rear extension which could be addressed through a planning condition, the Council has not raised concerns in respect of the rear dormer, front canopy, additional windows and doors or other alterations including landscaping and boundary works. Based on my observations and the evidence that is before me, I see no firm reason to disagree and find that these aspects of the proposal would also be acceptable.
14. For these reasons, I conclude that the proposal would not detract from the character and appearance of the host building or area. Notwithstanding the failure to fully accord with the Design Code, I do not therefore find conflict with Policies CS11 or CS17 of the Core Strategy 2011 or Policy DM2 of the Development Management Plan 2015 ('the DMP'). Together and amongst other things, these policies broadly seek high quality design which responds to positive features and integrates sensitively with its surroundings, and development that is well designed, integrates with and preserves or enhances local character taking into account attributes including the appearance, scale, height, prevailing pattern of built development, massing, layout and character of the host building. Nor then do I find conflict with Policy DM1 of the DMP insofar as it advises that applications that accord with policies in the plan will be approved without delay unless material considerations indicate otherwise.

Other Matters

15. Although the proposal would result in a significant increase in the overall scale and mass of the appeal dwelling, the two-storey parts of the development would be set in from the boundaries, and I am satisfied given the relationship with neighbouring

dwellings that it would not appear unacceptably overbearing. Nor would it cause undue loss of outlook or light, including to neighbouring rooflights.

16. The rear dormer and rooflights would provide glazing at a higher level than existing rear windows but would not result in new or significantly different views of neighbouring properties or gardens to those that would already be available from first-floor windows. As a result, and subject to a planning condition to ensure that glazing to the side elevation serving the upper floors was obscure glazed and openable at high level only, I find that there would not be harmful overlooking or loss of privacy to neighbouring properties.

Conditions

17. I have considered suggested conditions against the tests set out in the National Planning Policy Framework and made amendments where necessary to ensure compliance with these tests.
18. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. A condition controlling external materials is necessary to ensure a satisfactory appearance. However, the plans suggest cladding to the rear dormer and part of the rear elevation which would not match the dwelling and given that the detail of the type of cladding is not currently clearly specified and some ambiguity around the proposed roof tiles, the condition requires that details of materials are submitted for approval. I have also found above that a condition to control the nature of glazing to the flank of the dwelling would be necessary to safeguard neighbouring occupiers' living conditions.
19. The conditions suggested by the Council at appeal stage do not include conditions that were proposed by Surrey County Council as the Highway Authority. Of these conditions, I note that while the plans indicate removal of part of the existing front boundary wall, the access to the highway would not be altered. I therefore consider the suggested condition relating to construction of the modified vehicle access and provision of visibility splays would be unnecessary. In addition, I have not been directed to any specific policy requiring electric vehicle charging, particularly in a case such as this where there would remain a single dwelling on the site. Because it is not therefore clear that provision would be necessary, I have not imposed the suggested condition requiring installation of a charging point.
20. I have included a condition to require provision of the indicated driveway which I consider would be necessary in order to ensure appropriate parking. However, there would not appear realistic scope to accommodate turning for vehicles within the site and noting that this reflects the existing situation and so would be unlikely to result in new or increased harm, I have omitted reference to providing turning space.
21. I have noted additional concerns raised by interested parties. However, construction standards to ensure appropriate soundproofing would be a matter for Building Regulations, while construction working hours are subject to control under environmental health legislation. It is therefore unnecessary and would be inappropriate to impose conditions which would duplicate these requirements. Any other effects from the construction period could be mitigated by careful construction practices, although I consider given the limited scale of the proposal that it would be excessive and unduly onerous to require submission of construction

management details. I therefore agree with the council that such a condition would be unreasonable.

Conclusion

22. For the reasons given above, I find that the proposal would accord with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be allowed.

J Bowyer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Unless otherwise amended under the conditions below, the development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; Block/Site Plan; 01/06 Rev R2; 02/06 Rev R2; 03/06 Rev R2; 8LW-101-A Rev A; 8LW-102-A Rev A; 8LW-103-A Rev A and 8LW-104-A Rev A.
- 3) Details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the relevant materials are installed. The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall not be occupied until the first-floor and second-floor level windows to the flank elevation of the building have been fitted with obscured glazing in accordance with drawing no. 8LW-104-A Rev A and are only openable above a height of 1.7m above the internal floor level of the room to which it serves. The windows shall be permanently retained as such thereafter.
- 5) The development hereby permitted shall not be occupied until the driveway/parking area shown on drawing no. 8LW-101-A Rev A has been laid out and surfaced and that area shall thereafter be kept available at all times for the parking of vehicles.

End of Schedule