
Appeal Decision

Site visit made on 7 November 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 November 2016

Appeal Ref: APP/K3605/W/16/3156381

8 First Avenue, West Molesey, Surrey KT8 2QJ

- 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 Stewart Allen against the decision of Elmbridge Borough Council.
 - The application Ref 2016/1095, dated 31 March 2016, was refused by notice dated 8 July 2016.
 - The development proposed is attached two storey house with rooms in the roof space and the demolition of the existing single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (i) the effect of the proposal on the character and appearance of the area including the street scene; (ii) whether it would provide satisfactory living conditions for future occupiers with regard to external amenity space; and (iii) whether it makes adequate provision for affordable housing.

Reasons

Character and appearance

3. The appeal site forms part of the garden area of a semi-detached dwelling, which occupies a prominent corner location next to the junction of First Avenue and Upper Farm Road. The surroundings are residential with dwellings comprising mainly semi-detached houses but there are also some terraces. In this context, the principle of the introduction of an additional terrace would not be at odds with the mix of dwellings in the area.
 4. Nevertheless, dwellings are set back from the highway and have relatively extensive rear gardens. The grounds around corner properties are of different overall shape but nonetheless provide substantial areas of outdoor garden space. The introduction of a further dwelling on the plot would result in a significant reduction in the gap between its flank wall and the boundary. The degree of infill proposed would, in my view, be at odds with the spacious character of nearby corner plots in particular and the surrounding area more generally. Further, the resulting minimal visual relief between the dwelling's flank wall and the boundary would give the appearance of the plot being over-occupied by development.
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5. The proposal would inevitably create a more prominent group of dwellings although I accept that in views towards the site from the south-east along First Avenue, it would relate reasonably well to the corner location. However, taking into account other street scene views, the dwelling would project substantially beyond the building line formed by the dwellings on the northern side of Upper Farm Road, which would be particularly noticeable when looking east towards the road junction. I consider that this would have an overall disrupting effect on the rhythm of the street and, therefore, the street scene.
6. Further, there would be a significant reduction in the amount of garden space around the host dwelling. Its remaining garden area, in combination with that of the proposed dwelling would be at odds with the much larger plots typical of surrounding properties. This would dilute the area's existing character which is formed by the spacious plots that underpin the prevailing development pattern. Whilst such a change might not readily be perceptible at street level, it would nonetheless result in harm to the overall character of the surroundings.
7. For the above reasons, the proposal would run counter to Policy DM2 of the Elmbridge Development Management Plan (2015) (DMP) that requires development to preserve or enhance the character of the area through, amongst other things, taking account of layout and building orientation. Further, although the appeal proposal would make efficient use of urban land, I nonetheless find conflict with the requirements of Policy CS17 of the Elmbridge Core Strategy (2011) (CS), which includes a requirement for development to respect local distinctiveness and enhance the street scene. In addition, the proposal also conflicts with the overall design objectives of the Council's Design and Character Supplementary Planning Document Companion Guide: East and West Molesey (2012) (SPD).

Living conditions

8. Although I have found that the resulting garden sizes for the existing and proposed dwellings would not be acceptable in character terms, for practical purposes, they would provide adequate space for typical domestic needs such as sitting out, drying washing and providing a secure area for young children's play.
9. Whilst I accept that there would be a breach of the SPD requirements, I consider that, on balance, this would therefore be acceptable. Consequently, I consider that the proposal would provide satisfactory living conditions for the dwelling's future occupiers in general accordance with the amenity requirements of DMP Policy DM2, CS Policy CS17 and the overall SPD objectives.

Contribution to affordable housing

10. CS Policy CS21 states the Council's aim to deliver at least 1150 affordable homes between 2011 and 2016. The policy sets out that, for housing schemes comprising 1-4 dwellings, a financial contribution will be required equivalent to the cost of 20% of the gross number of dwellings provided on the site.
11. It appears from the available evidence that although, at the time of the application, a planning obligation was submitted that made provision for a contribution towards affordable housing, the Council considered it could not be executed due to the inclusion of incorrect information. Notwithstanding this,

the appellant now disputes the Council's requirement for the contribution and refers to recent changes to Planning Practice Guidance (PPG), which sets out that affordable housing and tariff style contributions should not be sought from developments from small scale and self-build development.

12. I have taken the submissions of both parties into account. However, even were I to have an executed planning obligation before me, the level of contribution would be commensurate with the provision of only a single modest dwelling. Accordingly, I do not consider that its benefits would be sufficient to outweigh the clear identified harm in relation the first main issue and do not, therefore, consider this matter further.

Conclusion

13. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector