
Appeal Decision

Site visit made on 24 January 2017

by David Cliff BA Hons MSc MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/Z3635/W/16/3162952

77 Thames Side, Staines-upon-Thames TW18 2HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Marks against Spelthorne Borough Council.
 - The application Ref STH/16/01529/HOU, is dated 12 September 2016.
 - The development proposed is 'two storey side and rear extensions and alterations including reconstruction of existing roof and construction of a detached single garage'.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side and rear extensions and alterations including reconstruction of existing roof and construction of a detached single garage at 77 Thames Side, Staines-upon-Thames TW18 2HF, in accordance with the terms of the application Ref STH/16/01529/HOU, dated 12 September 2016 and subject to the following conditions:
 - i) The development hereby permitted shall begin not later than three years from the date of this decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: OS01, BP10, SP10, SP20, AP10, AP11, AP12, AP13, AS10 and AS11.
 - iii) Prior to the commencement of the development hereby permitted, details of the materials to be used in the construction of the external surfaces of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - iv) There shall be no raising of ground levels on the site, other than in accordance with the approved details.
 - v) All spoil and building materials stored on the site before and during construction shall be removed upon completion of the development hereby permitted.

Main Issue

2. The Council has not provided a statement or other information on the planning merits of the proposal. From my consideration of the evidence before me, including representations from neighbouring residents, I consider the main
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issues to be the effect of the proposed development upon (i) the character and appearance of the area and (ii) the living conditions of the occupiers of neighbouring properties with particular regard to properties on Riverside Close.

Reasons

3. Following the submission of this appeal, the Council has granted planning permission for a similar scheme¹ to the appeal proposal. The difference between the two schemes being that in the approved scheme the north flank elevation at first floor level is set in from the line of the ground floor wall by 0.5m. This provides for a separation distance to the relevant side boundary at first floor level of approximately 1m.
4. This approved scheme therefore represents a realistic fall-back position for the Council and I consider that there would be a strong likelihood of it being implemented should the appeal scheme be dismissed. I have therefore given it significant weight in my determination of the appeal proposal. Consequently, a key matter for me to determine is whether the additional 0.5m of width at first floor level would result in any harm upon the character and appearance of the area or the living conditions of the occupiers of neighbouring properties.

Character and appearance

5. Thames Side is characterised by predominantly two storey detached houses with a good degree of variety in their designs. Both existing houses on either side of the appeal property are of two storeys. Properties vary in their separation distances to side boundaries with some houses closer to their side boundaries than others.
6. The increase in height of the existing house would not, in principle be out of keeping with surrounding development. The proposal would retain a separation distance of 1.6m from one of its side elevations to the southern boundary of the site which would satisfactorily integrate with the streetscene.
7. On the opposite side, the north elevation would be 0.5m from the adjacent boundary. The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development 2011 seeks to avoid a terracing effect by requiring development to be a minimum of 1.0m from the side boundary.
8. In this case, the side wall of the adjacent house (No.76) would be located several metres from the side boundary with the appeal site. Given this relationship, I consider that there would be sufficient separation distance between the two properties to prevent a terracing effect. Although I am not aware of any proposals for No.76 to be extended, should there be any intention to do so in the future, I am satisfied that a proposal could be designed to prevent any terracing effect from resulting in the future.
9. In this context, I have also taken account of the scheme recently permitted at the appeal property. I do not consider that an additional 0.5m to the overall width of the scheme would make any significant difference to the effect of the scheme upon the character and rhythm of the streetscene. Therefore, whilst the proposal does not accord with the SPD in this respect, it would not in this case result in a harmful terracing effect.

¹ 16/01879/HOU

10. For the above reasons, the proposed development would not result in any significant harm upon the character and appearance of the area. It would accord with the relevant design aims of policy EN1 of the Spelthorne Borough Council Core Strategy and Policies Development Plan Document 2009 ('the Core Strategy').

Living conditions

11. Although the proposal would substantially increase the overall bulk and massing of the existing house, I consider that the separation to the rear gardens and rear windows of adjacent properties on Riverside Close would be sufficient to prevent any unacceptable impacts in relation to overlooking, overshadowing, outlook and loss of light, including for the occupiers of 17a Riverside Close. The proposal would also only be slightly wider at first floor level than the scheme recently approved by the Council and the impact upon neighbours arising from the additional 0.5m of width at first floor level would be minor.
12. Whilst I acknowledge that construction works can result in some disturbance and inconvenience for neighbouring residents, including from vehicles in connection with construction, this would be for a temporary period of time and I do not consider that the works proposed would be of such magnitude or complexity to result in any unacceptable impacts in this case.
13. I am therefore satisfied that the proposed development would not result in any unacceptable impacts upon the living conditions of the occupiers of neighbouring properties. It would accord with the relevant amenity aims of policy EN1 of the Core Strategy.

Other matters

14. I am not aware of any objections raised by the Council in relation to potential flooding implications and note the recently permitted scheme for a similar proposal. I am satisfied from the evidence that the proposal for extensions to this existing dwelling would not result in any significant flooding impacts, subject to the relevant conditions suggested by the Council.

Conditions

15. The Council has provided its suggested conditions should planning permission be granted. I have attached a condition limiting the life of the planning permission. A condition specifying the approved plans is required for the avoidance of doubt and in the interests of proper planning.
16. Approval of details of external materials is necessary to safeguard the character and appearance of the area. This condition requires details to be approved before development takes place but it is necessary as it has implications for the design of the proposal. Conditions restricting the raising of ground levels and relating to materials storage are necessary to prevent the increased risk of flooding.

Conclusion

17. For the reasons given above, having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR