
Appeal Decision

Site visit made on 14 March 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 3 April 2017

Appeal Ref: APP/Q3630/W/16/3165185

The Robins, Middle Hill, Englefield Green TW20 0JJ

- 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 Ross Crooks against the decision of Runnymede Borough Council.
 - The application Ref RU.16/1178, dated 13 July 2016, was refused by notice dated 7 September 2016.
 - The development proposed is "To introduce a detached one bedroom, part single storey, part one and half storey house, with parking and amenity space".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area; and the effect of the proposal on the living conditions of the occupiers of 35 Alderside Walk with particular regard to outlook and privacy.

Reasons

Character and appearance

3. The appeal site is a broadly triangular shaped plot of land which lies to the rear of The Robins, a two storey detached dwelling located on the corner of Middle Hill and Lodge Close. The area is predominantly residential in character. The appeal site fronts onto Lodge Close and previously formed part of the long and tapering rear garden of The Robins but is now under separate ownership.
 4. Dwellings along the western side of Lodge Close, opposite the appeal site, are typically set back a generous distance from the road frontage. The Robins, which fronts Middle Hill, maintains a generous separation distance between its side elevation and Lodge Close. The appeal site, given its undeveloped and open nature, provides a generous degree of separation between the road frontage and the built form of dwellings along Alderside Walk, including Nos 35 and 40 Alderside Walk, to the east. This complements the setback of dwellings along the western side of the road and provides a strong sense of space and openness within the streetscape. Thus, in its current form, the spatial qualities of the appeal site contribute positively to the character and appearance of the streetscape and area.
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5. The proposal would introduce a part single, part 1.5 storey dwelling onto the appeal site with associated parking and amenity space. I acknowledge that the ridge height of the proposed dwelling would be below the eaves height of The Robins and would be below the ridge height of 35 Alderside Walk. I also accept that dwellings in the area display a variety of architectural styles and that the appellant has sought to provide an innovative design solution in a manner responsive to the site constraints, including its sloping topography, and to minimise any visual impact.
6. Nevertheless, the proposed dwelling would be sited in close proximity to the frontage of the appeal site and would fail to maintain the characteristic setback of dwellings along this part of Lodge Close. Moreover, notwithstanding its modest height, it would be a notable addition to the streetscape given that it would be clearly visible above the boundary wall and fencing which runs along the frontage of the appeal site. Its prominence would be increased by the removal of part of the boundary wall and fencing to provide vehicular access for on-site parking.
7. In light of these factors, I consider that the proposal would result in an incongruous and cramped form of development which would erode considerably the spatial qualities of this part of Lodge Close. It would therefore fail to reflect the prevailing pattern of development along this part of Lodge Close and, as such, would give rise to significant harm to the character and appearance of the streetscape and area. My view on this is notwithstanding that the appeal site does not lie within a conservation area.
8. The proposal would therefore be contrary to saved Policies BE2 and HO9 of the Runnymede Borough Local Plan Second Alteration 2001 (Local Plan). These policies are consistent with the broad aims and objectives of the National Planning Policy Framework (the Framework) which require planning to take account of the different roles and character of different areas.

Living conditions

9. The rear garden of 35 Alderside Walk is set at a considerably lower level than that of the appeal site. I observed that this already provides a sense of enclosure to the western side of the rear garden of No 35 and limits any meaningful views in this direction from the rear garden of this property and from within its rear conservatory. The proposed dwelling would be set back from the side boundary of the rear garden of No 35 by between approximately 3-3.5 metres (m). This degree of separation would likely reduce the amount of built form visible from the rear garden and conservatory of No 35 and would not, in my judgement, materially add to the exiting sense of enclosure. Nor would it be particularly prominent in any oblique views from the rear facing windows at ground and first floor levels of No 35.
10. As such, I do not consider that the proposed dwelling would represent an overbearing or dominant form of development for the occupiers of No 35 and would not result in any material harm to their outlook.
11. Turning to matters of privacy, the area of garden between the proposed dwelling and the side boundary of the rear garden of No 35 would not appear to be particularly well connected to any of the main living areas of the proposed dwelling. This would likely limit its regular use for amenity purposes by any future occupiers and would therefore reduce any opportunity for

overlooking the property of No 35 on this basis. In addition, I observed that the fence running alongside the side boundary of the rear garden of No 35 and vegetation growing within the appeal site along this boundary would minimise the opportunity for any overlooking. Had I been minded to allow the appeal for other reasons, it seems to me that a suitably worded planning condition could have been imposed to strengthen boundary vegetation or to moderately increase the height of the fence along this boundary to further prevent any opportunity for overlooking without materially affecting the outlook for the occupiers of No 35.

12. Moreover, the opportunity for overlooking would not, in any case, appear to me to be materially different than the opportunity for overlooking the property of No 35 by the occupiers of The Robins when the appeal site previously formed part of the rear garden of this property.
13. On this basis, I consider that the proposal would not give rise to any material loss of privacy for the occupiers of No 35.
14. I therefore conclude that the proposal would comply, in this regard, with saved Policy HO9 of the Local Plan, which requires, amongst other things, development to provide adequate privacy for existing properties. It would also comply, in respect of this main issue, with the broad aims and objectives of the Framework which seek planning to secure a good standard of amenity for all existing occupiers of land and buildings.

Other matters

15. I have given careful consideration to the appellant's personal circumstances and his desire to live independently in the area, in a high quality home and in close geographical proximity to his mother. Nevertheless, these matters, individually or cumulatively, are not sufficient to outweigh the harm I have identified to the character and appearance of the area. Moreover, there is no substantive evidence to demonstrate that there are no other suitable properties in the area which could meet the appellant's requirements in this regard.

Conclusion

16. Whilst I have not found harm to the living conditions of the occupiers of No 35, I have found harm to the character and appearance of the area. Such harm would be significant and would not be outweighed by any benefits.
17. Thus, for the reasons set out above and having regard to all other matters, including trees, highway safety, noise and disturbance, light, amenity space provision and the privacy and outlook of the occupiers of other properties along Lodge Close and Alderside Walk, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR