

Appeal Decision

Site visit made on 24 April 2017

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/Z3635/W/16/3161522

194A Laleham Road, Staines upon Thames, Surrey TW18 2PA

- 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 Richard Lewin of Elwin Property Limited against the decision of Spelthorne Borough Council.
 - The application Ref 15/01198/FUL, dated 11 November 2015, was refused by notice dated 22 April 2016.
 - The development proposed is described on the application form as the installation of 36 no. roof vents comprising 24 no. flat roof vents to comply with Building Control requirement regarding the ventilation of the roof construction, 8 no. roof vents, 2 no. boiler flues and 2 no. SVPs. The installation of solar panels onto the roof of the single storey roof to the rear of the property. These panels are under 200mm in depth. Changing the centre window at first floor level on the east elevation for an opening door similar to that already present on the west elevation at second floor level together with the installation of a balustrade to allow the existing flat roof to be used as terrace.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Appellant has confirmed that there are 34 vents installed on the roof (not 36 as described in the application). From my site visit, and the information before me, I observed that these vents have already been installed on the roof and I have determined the appeal on this basis.
3. It is common ground between the main parties that the proposed installation of solar panels on the roof of the single storey element at the rear of the building and the first floor door and balustrade to the frontage are considered to be acceptable and I have no reason to disagree.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is located on the south west side of Laleham Road opposite the junction with Grosvenor Road. The appeal property consists of a retail unit at ground floor with two levels of residential accommodation above. The appeal building is taller than many of the surrounding properties which contributes to its prominence in the area.
-

6. Policy EN1 of the Spelthorne Core Strategy & Policies Development Plan Document (2009) (CS) requires, amongst other matters, that proposals have a high standard of design, are attractive with their own distinct identity, and should respect and make a positive contribution to the streetscene and the character of the area.
7. The roof vents are a noticeable feature on the building when looking along Laleham Road from the north-west and also from Grosvenor Road. Given the number of the vents and their projection from the top of the roof they appear as an alien and unsightly feature to the detriment of the appearance of the host building. Consequently, the development does not have a high standard of design nor does it present an attractive distinct identity to the building.
8. In coming to that conclusion I acknowledge that views from the south-east are much more restricted and that in close proximity to the building the vents are not visible. However, this does not outweigh the harm I have already identified.
9. I also acknowledge that some form of roof ventilation is required by the Building Regulations and that the Appellant has explored other alternatives to the appeal development. However, this is not a reason in itself to approve an otherwise unacceptable development. Moreover, none of these alternative schemes are before me and I have considered the appeal development on its own merits.
10. For the above reasons, the proposed roof vents would lead to unacceptable harm to the character and appearance of the host building and the surrounding area contrary to Policy EN1 of the CS which amongst other things seek to ensure that development has a high standard of design and respects and makes a positive contribution to the character and appearance of the area.

Other matters

11. I have also had regard to the representation received during the Council's consultation period in relation to potential overlooking from the front balcony. However, given the location of the balcony at the front of the property, and its juxtaposition with the surrounding and nearby residential properties, I consider that there would not be a significant loss of privacy to the occupiers of any of the surrounding residential properties.

Conclusion

12. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR