



Appeal Decision

Site visit made on 9 July 2019

by Michael Wood RIBA

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/Z3635/W/19/3226460

**Land at the rear of 137 - 139 Laleham Road, Staines-upon-Thames
TW18 2EQ**

- 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 Julian Beavers against Spelthorne Borough Council.
 - The application Ref 18/00977/FUL dated 02 July 2018 was refused by notice dated 11 October 2018.
 - The development proposed is the erection of a detached two storey, two bedroom dwelling with associated parking and amenity.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have accepted the Council's change in description, to that advanced by the Appellant in the application form, which I find better reflects the nature of the development before me.

Main Issues

3. The main issues are; firstly, the effect of the development on the character of the area; and secondly, the effect of the development on the living standards of future occupants.

Reasons

Character of the area

4. The Appellant wishes to develop a site for a single house at the rear of gardens to two houses on Laleham Road near to its junction with Guildford Street. Between the two houses and Guildford Street, which is a cul-de-sac, there is a four storey development of apartments with a parking area and 12 garages which have access from Guildford Street. The Appellant has produced evidence of his right of way through this parking area and this would be the only means of access to the house.
5. The proposal is the construction of a two storey brick and timber clad house with a low pitched roof. Window openings would be limited and the extent of outlook restricted. The first floor would oversail both the garage and the tandem parking space below. Whilst interior space standards would be met to the Council's satisfaction and the garden accords with the Council's size requirements, there is limited space for vehicles within the site. The Council

has been concerned that the access arrangements would be unsuitable and that there would be no opportunity for vehicles to turn around and leave the property in a forward direction. The lack of a turning space would, the Council say, result from an over development of the site. Development on the site as proposed would be cramped and lack the spaciousness which is a characteristic of properties in the area. Notwithstanding the cramped site, the limited aspects and restricted outlook the Council have raised no objections to the living conditions of future occupiers in terms of amenity and space standards.

6. The appearance of the house would be unusual but, in a locality with a variety of property styles, the materials proposed would not be out of place. However, I consider that the overall design of the development would not respect or make a positive contribution to the streetscene and would not achieve a satisfactory relationship with the adjoining car parking area. The proposed position of the house would be set back from the street by about 20m and flanked by garage blocks. Development would introduce a discordant design unrelated to either the larger scale apartment building or the rows of frontage housing in both streets. I conclude that it would be contrary to the objectives of policy EN1(a) and EN1(b) of the Spelthorne Development Plan Core Strategy and Policies DPD of 2009 (the Core Strategy) which, amongst other things, require a high standard in the design and layout of new development and seek to have due regard to the characteristics of adjoining buildings and land.

Living standards of the occupants

7. Any car using the garage, and any additional car using the onsite parking space, would need to reverse either in or out without the ability to turn around within the appeal property. The crossover from the Street is offset to the side boundary of the frontage adjacent to 5 Guildford Street and vehicles would need to traverse the parking area diagonally to approach the access way between the rows of garages. I acknowledge that the Appellant has produced evidence of his right of way, but this route is not clearly marked out on site and would be over land that appears not to have formed part of the application site and may not be in the Appellant's control. The garages face each other and are approximately 6m apart. The house would be about 0.5m beyond the end of one row of garages.
8. It was clear to me on my site visit that manoeuvres associated with the garages would have a seriously detrimental impact on the means of access to the house. According to the comments of neighbours the parking area is heavily used at times and I could see how there would also be further cause for concern by other users of the car parking area.
9. The Appellant has put forward, in support of the appeal, the indication that the proposal would provide an additional house for the area and a positive contribution to the locality by improving a tired and dilapidated space. There have been a number of concerns expressed by neighbours relating to the impact that the development would have on their living conditions, as well as to access and parking in the vicinity. The design of the house would overcome some of these objections but the awkward nature of the access would cause difficulties for future occupiers of the development and be contrary to standards of good design set out in policy EN1(b) and EN1(c) of the Core Strategy. Development on the site would be required to achieve a satisfactory relationship with adjoining properties and to be accessible to people on foot.

The layout of the parking court and the offset access on to Guildford Street could lead to a degree of confusion for pedestrians visiting the appeal site and harmful conflict between pedestrians and motor vehicles. This conflict would be detrimental to the living standards of both future occupiers and neighbours. The site of the proposed house does not conform with requirements of paragraph 4.26 of the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (the SPD) which requires an access way and on-site turning space to be unimpeded by parking areas. Paragraph 4.27 of the SPD states that access ways must be a minimum 2.75m wide and this would not be possible in between the garage blocks without conflicting with their use. Difficulties could also be anticipated with refuse bin storage and access for large service vehicles. I do not agree that the proposed house would provide a positive contribution to the area. I conclude that, even though it would provide an additional house for the area, the development would be contrary to objectives in Appendix 3 of the SPD which promotes development providing ease of movement and putting people before traffic.

Conclusion

10. For the above reasons the appeal is dismissed.

Michael Wood

INSPECTOR