
Appeal Decision

Site visit made on 20 August 2019

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/Z3635/W/19/3227930

31 Glebeland Gardens, Shepperton TW17 9DH

- 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 Alan Hackland against the decision of Spelthorne Borough Council.
 - The application Ref 18/01236, dated 22 August 2018, was refused by notice dated 2 November 2018.
 - The development proposed is a 2 storey, one bedroom maisonette.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has acknowledged that an administrative error was made when issuing the Decision Notice with respect to the planning application that is now the subject of this appeal. Indeed, the reason for refusal given does not correlate with the recommendation and associated considerations set out in the Council's delegated officer report. I am content that it would be appropriate for me to determine the appeal based on the corrected reason for refusal given rather than that stated on the Decision Notice, and that no party with an interest in this appeal would be unfairly prejudiced by me doing so. This is particularly as the corrected reason for refusal is consistent with the various arguments made by the Council through both its delegated report and appeal statement, and is, in any event, similar in a number of respects to the reason stated on the Decision Notice.

Main Issues

3. The main issues are:
 - The effect upon the character and appearance of the area;
 - The effect upon the living conditions of future occupiers, with particular regard to the availability of private garden space; and
 - The effect of the proposed parking arrangements upon highway safety.

Reasons

Character and appearance

4. The appeal site is formed of an area of land situated to the southern side of 31 Glebeland Gardens (No 31) that I understand incorporates a shared private Right of Way to its southern and eastern edges. No 31 is located at the end of a terraced block of 8 properties (the terrace). The terrace is setback behind frontage development that addresses Glebeland Gardens to the south and is orientated such that front elevations face westwards. The properties within the terrace are similarly designed and uniformly positioned in terms of their front and rear building lines. They are served by consistently laid out private garden areas to their frontages. To the rear, the terrace is characterised by the presence of small enclosed private areas that back on to a large public recreation space situated to the east.
5. I observed from inspection that properties in the general vicinity of the site, whilst comprised of a variety of different housing types, are typically located upon relatively generously sized plots. This includes properties situated to the northern side of Glebeland Gardens and in proximity to the site. Indeed, properties contained within the terrace itself are served by not insignificantly sized garden areas. Thus, the site's surroundings exhibit a relatively loose and low-density pattern of development.
6. I acknowledge that the proposed dwelling would respect the existing building lines, eaves height and ridge height of the terrace. The proposed elevations also indicate fenestration (including sliding sash windows) that would be largely consistent with other properties contained within the terrace and that a matching palette of external facing materials would be used. I also acknowledge that it is intended that the Right of Way effectively be routed through the building itself, utilising the same access door that would be used by future occupiers of the proposed dwelling. It is however the constraints provided by the appeal site's positioning and limited size that leads to the proposal raising issues and concerns.
7. Contrary to the garden areas in place to the front of all other properties contained within the terrace, which are deep in extent, the newly proposed dwelling would be served by a very small external area to its frontage. Whilst I acknowledge that a private external area (albeit not of considerable depth) would also be provided to the rear of the property, the proposed arrangements would be at odds with the layout of other properties in the terrace and would appear unduly cramped, particularly when read alongside the relatively loose pattern of development that typifies the site's surroundings. In this context, a discordant form of development would ensue that would represent an overdevelopment of the site.
8. For the above reasons, the proposed development would cause harm to the character and appearance of the area. The proposal conflicts with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) (the Core Strategy) in so far as this policy requires proposals to create buildings and places that are attractive with their own distinct identity and that respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

Living conditions

9. Whilst a small private rear garden area forms part of the proposal before me, this would provide a meaningful area of external space for the private enjoyment of the proposed dwelling's future occupiers. I also note that a relatively small one-bedroom property is proposed, such that the number of occupiers would be limited accordingly, and that the site backs on to a large public recreation ground that would be immediately accessible.
10. Whilst the Council has referred to the extent of proposed amenity space not conforming to the relevant standard contained within their Design SPD, I must consider the proposal based on the makeup of the particular scheme before me and the specific circumstances to hand. Thus, notwithstanding my findings with respect to the scheme's effect upon the character and appearance of the area, I find that the proposal would not cause harm to the living conditions of future occupiers, with particular regard to the availability of private garden space. The proposal accords with Policy EN1 of the Core Strategy in so far as it requires new development to achieve a satisfactory relationship to adjoining properties and to avoid significant harmful impact.

Parking

11. The proposal does not involve the creation of any additional off-street parking to serve the development. The Parking Standards Supplementary Planning Guidance (adopted June 2001, updated September 2011) (the Parking SPG) requires, for a one-bedroom dwelling, a minimum of 1.25 car parking spaces to be provided.
12. In this instance however, the floor plan submitted indicates that the dwelling has been specifically designed for single person occupation. This is a situation where the Parking SPG allows for a reduction in parking requirements to be considered. I also see merit in the appellant's suggestion that the site is located within reasonable walking and cycling distances of a range of services and facilities, including local bus services.
13. The public car park to the east of the site should not be relied upon to provide car parking for future residential development. Indeed, this parking area would primarily serve as a facility for users of the recreation ground and the associated centre/built facility that is in place. I am however satisfied that the proposed development would be anticipated to provide a limited demand for associated parking within an area where I did not observe there to exist clear and obvious parking/highway safety issues. Indeed, I noted several unrestricted on-street car parking opportunities in the vicinity of the site during inspection.
14. I acknowledge that my single visit to the site cannot be relied upon in isolation to give an entirely accurate account of the day-to-day car parking situation that avails in the site's locality. I was nonetheless able to gather a clear understanding of the makeup of site's surroundings and of the parking facilities/opportunities that exist.
15. For the above reasons, and again noting the scale of intended development and the proximity of services and facilities to the site such that any future occupier would not necessarily need access to a private vehicle, the proposed parking arrangements would have an acceptable effect on highway safety so as not to

cause harm in this context. The proposal accords with Policy CC3 of the Core Strategy in so far as it requires that, in considering the level of provision, regard be given to the anticipated demand for parking arising from the use proposed, the scope for encouraging alternative means of travel to the development that would reduce the need for on-site parking and the impact on highway safety from potential on-street parking.

Other Matters

16. I have noted objections/concerns raised by various interested parties to this appeal, including with respect to matters such as the effect upon neighbouring living conditions, bin storage arrangements and the accessibility of the Right of Way. However, in light of my findings with respect to the main issues of this appeal, it is not necessary for me to explore these matters further as part of this decision.
17. I acknowledge that the proposal would deliver an additional housing unit and that the National Planning Policy Framework (February 2019) reaffirms the Government's objective of significantly boosting the supply of homes. However, the contribution of only one dwelling would be modest and would not outweigh the significant harm I have identified.
18. Whilst I have found no harm in relation to the effect upon the living conditions of future occupiers and upon highway safety, the proposal would result in significant harm being caused to the character and appearance of the area. That harm is the overriding consideration. The proposed development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

19. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR