



Appeal Decision

Site visit made on 1 August 2019

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2019

Appeal Ref: APP/Z3635/D/19/3230773

525 Staines Road West, Ashford TW15 2AB

- 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 Mrs Faulkner against the decision of Spelthorne Borough Council.
 - The application Ref 19/00159/HOU, dated 4 February 2019, was refused by notice dated 2 April 2019.
 - The development proposed is erection of an ancillary granny annexe.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are the effect of the proposed granny annexe on:-
 - the character and appearance of the area; and
 - the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

3. The appeal site is a detached house with a long rear garden. The proposed outbuilding would be located at the end of this garden adjacent to the boundaries with neighbouring properties. The appeal relates to an outbuilding that the appellant intends to use as a granny annexe. The Council's concern seems to rest on its potential use as a separate dwelling. The appellant is firm in that the living accommodation proposed would be ancillary in that it would be located within the appellant's garden, it would not have a separate meter and it would not have a separate access or garden/amenity area. This is what is applied for and the Council would have control over a future change of use. The appellant suggests a condition attached to any approval which would provide added security on this matter.
4. I have no evidence to sustain an argument that a separate dwelling is intended. However, No 525 has a very long garden and the outbuilding would be located almost as far away from the house as possible. It would be fully self-contained with a living area, kitchen, bathroom/shower room, bedroom and separate study. It would also have an external decked area.

5. Whilst the planning system has no control over matters such as a separate meter or whether an occupant living in accommodation such as this utilised the main house in terms of laundry and eating, the accommodation proposed could be occupied independently. I consider that it would be possible for an occupier of this building to access it from Staines Road West without going through the house and the level of accommodation could provide for independent living.
6. Due to the length of the garden the outbuilding would not be visible from the road but it would be a substantial sized building within this domestic garden. Core Strategy Policy EN1¹ relates to the design of new development which, amongst other things, should respect and make a positive contribution to the street scene and the character of the area. The Council's SPD² provides further guidance on the design of residential extensions and new residential development.
7. I note that there are other outbuildings located within the garden, given the size of this building, its location so close to the boundaries with neighbouring properties, plus its potential use, I consider that it would affect the character and appearance of the area. It would conflict with the objectives of Policy EN1 and the SPD.

Living Conditions

8. The building would be very close to the boundary with the adjacent dwelling to the west and the dwelling to the north. Whilst I do not consider that the building would impinge on the neighbouring houses themselves, its proximity to the boundaries plus its height and overall size would introduce a prominent and intrusive structure at the bottom of the appeal site. Amongst other things, Policy EN1 seeks to ensure that new development should achieve a satisfactory relationship to adjoining properties avoiding possible harmful impact in terms of bulk and proximity.
9. Furthermore, whilst I have no reason to dispute the appellant's intention to utilise the accommodation as ancillary to the main dwelling at No 525, it would be of a size and location, and provide a level of accommodation, that would allow independent living. I consider that this would be inconsistent with the aims and objectives of Policy EN1 and the SPD and have a harmful effect on the living conditions of the occupiers of neighbouring properties.

Conclusion

10. I have considered all other matters raised but none alter my conclusion. I conclude that the proposal would have a harmful effect on the character and appearance of the area and on the living conditions of the occupiers of neighbouring properties. It would conflict with Policy EN1 and the SPD and therefore the appeal fails.

J D Clark

INSPECTOR

¹ Spelthorne Borough Council Core Strategy and Policies Development Plan Document, Adopted 26 February 2009.

² Spelthorne Borough Council Design of Residential Extensions and New Residential Development Supplementary Planning Document April 2011 (SPD).