



## Appeal Decision

Site visit made on 4 November 2019 by Ben Phillips Bsc Msc

**Decision by R C Kirby BA(Hons) DipTP MRTPI**

**An appointed by the Secretary of State**

**Decision date: 20 November 2019**

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**Appeal Ref: APP/Z3635/D/19/3236166**

**Jonmari, Cotswold Close, Staines-Upon-Thames, TW18 2DD**

- 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 & Mrs C Tunncliffe against the decision of Spelthorne Borough Council.
  - The application Ref 19/00874/HOU, dated 22 June 2019, was refused by notice dated 19 August 2019.
  - The development proposed is described as a roof extension with hip ends changed to gable ends with a flat roofed rear dormer and small pitched roof dormer to the front elevation.
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### Decision

1. The appeal is allowed, and planning permission is granted for a roof extension with hip ends changed to gable ends with a flat roofed rear dormer and small pitched roof dormer to the front elevation at Jonmari, Cotswold Close, Staines-Upon-Thames, TW18 2DD in accordance with the terms of the application, Ref 19/00874/HOU, dated 22 June 2019, subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, kgs.ccj.07, kgs.ccj.08.
  - 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing building.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issue

3. The main issue in this case is the effect of the proposed extension upon the character and appearance of the surrounding area.

### **Reasons for Recommendation**

4. The appeal property, Jonmari, is a detached bungalow located on Cotswold Close, a small, quiet cul de sac of bungalows of differing design, variously extended, with visible dormers and side extensions.
5. The Council acknowledge that the hip to gable extension proposed would not be out of character with the varied roof lines evident on the dwellings within the road. I have no reason to disagree with this. Furthermore, in respect of the new pitched roof dormer on the front elevation it states that it could not "sustain an objection on the basis of its impact on the street scene". Again, I have no reason to disagree.
6. The rear/side dormer is large and would dominate the rear roof plane, however it would be discreetly located on the rear elevation of the dwelling and would not be visible in the wider street scene. Although of a flat roof design, it would be similar to the existing dormer window that the Council has previously found to be acceptable on the property, and it would be within the context of this existing feature that the new dormer would be viewed, from the rear and side. In this regard the proposal would not detract from the character and appearance of the host property or the wider area.
7. In light of the foregoing, I conclude that the proposal would not harm the character and appearance of the surrounding area. There is therefore no conflict with Policy EN1 of the Core Strategy and Policies Development Plan Document (2009) and National Planning Policy Framework (paragraph 127) which collectively require new development to respect and make a positive contribution to the street scene and the character of the area in which they are situated. Moreover, the proposal would accord with the guidance given in the Design of Residential Extensions and New Residential Development Supplementary Planning Document (2011) in respect of side and rear dormers.

### **Conditions**

8. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. A condition is necessary requiring that the development is undertaken in accordance with the approved plans for certainty. A condition controlling materials is also necessary in the interests of the character and appearance of the area. Conditions relating to flood risk are also suggested, however it is not clear why a condition relating to ground floor levels or the storage of building materials is necessary or relevant in this instance, given the nature of the development proposed. As such, I consider that such conditions are not reasonable, and I have not imposed these conditions.

### **Conclusion**

9. For the above reasons and having regard to all other matters raised, I recommend that the appeal should be allowed.

*B Phillips*

APPEAL PLANNING OFFICER

**Inspector's Decision**

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the suggested conditions.

*RC Kirby*

INSPECTOR