



Appeal Decision

Site visit made on 21 January 2020

by R J Jackson BA MPhil DMS MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2020

Appeal Ref: APP/Z3635/D/19/3241929

76 Chaucer Road, Ashford TW15 2QX

- 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 F McNeil against the decision of Spelthorne Borough Council.
 - The application Ref 19/01043/HOU, dated 25 July 2019, was refused by notice dated 27 September 2019.
 - The development proposed is first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension at 76 Chaucer Road, Ashford TW15 2QX in accordance with the terms of the application, Ref 19/01043/HOU, dated 25 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, CHA/PLANING/RE/001 Rev B, CHA/PLANING/RE/002 Rev B, CHA/PLANING/RE/003 Rev B, CHA/PLANING/RE/004 Rev B, CHA/PLANING/RE/005 Rev B and CHA/PLANING/RE/006 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The extension hereby permitted shall not be occupied until the window at first floor level in the side elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Procedural matter

2. In May 2016 the Council granted planning permission for "demolition of detached garage and erection of a single storey side extension to create a granny annexe". At the site visit I saw that the shell of a single storey side extension was well advanced although openings had not been filled by doors or windows and the roof was only battened.

3. The then applicant described the current proposal as set out in the heading, on the basis that it would be above the permitted scheme, but the Council described the proposal on its decision notice as “erection of a two storey side extension”. Given the current condition of the site I have used the applicant’s original description in the heading and formal decision.

Main Issue

4. The main issue is the effect on the character and appearance of the host dwelling and the area more generally.

Reasons

5. The appeal property is a semi-detached two storey dwelling. It was originally one of three identical pairs of such dwellings on the north side of the road. However, apart from the alterations currently taking place on the appeal site, there have been other alterations, most markedly to the adjoining property to the west, No 74, which has had a ‘hip to gable’ extension and, from what I could see at street level, a dormer inserted into the rear roof.
6. More generally the area is made up of a mix of buildings constructed at various dates and in various styles, although most are two storeys in height. The buildings appeared to be in residential use. Gaps between properties vary from quite large to narrow so that the character of the area is not defined by this but from its residential nature, the heights of buildings and the variety of ages and styles.
7. The previous gap between the appeal property and No 74 was one of the largest in the area. This has been reduced at ground floor level by the permitted scheme, although the sense of space above the single storey extension remains. The proposal is to construct a first floor above the permitted extension with a hipped roof set down from the roof of the main dwelling.
8. The Council has referred to its Design of Residential Extensions and New Residential Development Supplementary Planning Document (the SPD). This document indicates that its aim is to ensure that extensions are of a high standard. As this is in accordance with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (the DPD), which states that the Council will require a high standard in the design of new development to achieve buildings and places that are attractive with their own distinct identity and should respect and make a positive contribution to the street scene and character of the area in which they are situated, I am able to give the SPD significant weight.
9. The SPD indicates that to respect the character of the host building the extension should be in proportion and not over-dominate it. It continues that side extensions should only exceptionally exceed two-thirds of the width of the host building. Although the proposed extension has been dimensioned on the submitted drawings the width of the existing dwelling has not. However, by scaling it would appear that the extension would be slightly in excess of two-thirds of the width of the host building.
10. However, the SPD cannot be determinative and the proposal needs to be considered in relation to its effects. In this regard, I am satisfied that as it would be set down from the main house the proposal would appear as a

subservient extension to the host property and respect its design. Furthermore, it would still leave sufficient space around that property so that the proposal would not appear intrusive within the wider street scene with its variety and styles so that it would not be an over-dominant structure. While the proposal would imbalance the pair of semi-detached dwellings this would not be out of keeping with the variety of dwellings in the area, and, as noted above, there is already a variation within the three pairs of previously identical buildings.

11. Consequently, the proposal would not be harmful to the character and appearance of the host dwelling and the area more generally. As such it would comply with Policy EN1 of the DPD and the SPD as set out above. It would also comply with paragraph 127 of the National Planning Policy Framework which indicates that planning decisions should ensure that developments are sympathetic to local character.

Conditions

12. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the National Planning Policy Framework. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
13. I have also imposed a condition ensuring that the materials used match those on the existing dwelling so as to protect the character and appearance of the area.
14. I have also imposed a condition, following referral to the appellant, that the window in the side elevation of the proposal be completed in obscure glazing. Although the Council did not consider such a condition to be necessary, I consider that the proximity between this window and a window in the side elevation of No 74, together with the angle between them, would give rise to unacceptable loss of privacy for those within No 74. As the proposed window is a secondary window to the room in question, with there being other windows in the front and rear elevations, I am satisfied that it being obscure glazed would be reasonable in all the circumstances.
15. The Council has requested a condition be imposed that the accommodation only be used ancillary to the domestic enjoyment of the main house and not as a separate unit of residential accommodation. As such a use would require a separate planning permission, I consider that such a condition is not necessary to resolve the Council's concerns.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

RJ Jackson

INSPECTOR