



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/19/3238943

5 Guildford Street, 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 Jonathan Kerslake against the decision of Spelthorne Borough Council.
 - The application Ref 19/01026/HOU, dated 24 July 2019, was refused by notice dated 12 September 2019.
 - The development proposed is increase in ridge height, with erection of side dormer to facilitate loft conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal property is one of two similar properties on the north side of Guildford Street. Both are detached two storey properties built in the 1960s with a simple gable facing the street. These two properties are more recent than the majority of dwellings in Guildford Street which are predominantly semi-detached with gables and bay windows on the front elevation. The other properties are generally slightly taller than the appeal property and its pair.
4. Immediately to the west of the appeal property is an open area providing parking, a garage court and amenity space for a block of flats to the west, Edgumbe Court, which faces Laleham Road. Edgumbe Court is four storeys high including a mansard roof with small dormers for the windows.
5. The appeal proposal would raise the ridge by 1.0m and insert a flat roofed dormer in the enlarged roof plane on the western side covering most of the area. There would be windows in the front and rear elevations of the dormer, two windows in the side elevation and a new window installed in the enlarged rear gable.
6. The Council has referred to its Design of Residential Extensions and New Residential Development Supplementary Planning Document (the SPD). This document indicates 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.

7. The SPD indicates that dormers should meet four criteria. While the SPD cannot be determinative the proposed dormer would meet the first of these, in that it would be located centrally on the roof, and would partially meet the second, as it would be 1m from the edges and 0.5m from the ridge. However, it would not meet the remainder of the second criterion as it would be within 1m of the eaves.
8. Furthermore, because of its large size and flat roofed box-like appearance it would not incorporate a roof which is compatible with the main roof and it would be over-dominant and out of proportion with the overall appearance of the property. It would therefore not comply with the third and fourth criteria. The use of tile hanging would not mitigate this.
9. Because of the open area between Edgumbe Court and the appeal property the side elevation of the appeal property can readily be seen from the public domain. This would therefore emphasise the incongruous nature of dormer which would be intrusive into the wider street scene, harmful to the character and appearance of the area and represent poor design. The street trees do not materially affect how the proposal would be viewed in the street scene.
10. The appellant has noted that the Council has no objection to the raising of the ridge of the roof. While this may be the case this does not affect the consideration of the proposal which should be as a whole.
11. The appellant has indicated that were the ridge to be raised separately then he believes that the dormer would be permitted development under the terms of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). It is not for this appeal to determine whether this would be the case. But in any event, because the proposal requires the raising of the roof as an integral part of this scheme, any dormer inserted into the current roof plane would be materially smaller and thus have less effects.
12. The appellant has also referred to the design of Edgumbe Court with its mansard roof and small dormers. However, this building was designed as an integral whole which would not be the case with the current proposal.
13. At the site visit I noted a number of other dormers in properties in the area. However, these appeared to have different relationships to the street, and some were materially smaller. Finally, the appellant has referred to the 'hip to gable' conversion of 2 Guildford Street but, due to the proximity of the adjoining property and the different design of that property, I find that there are material differences to the proposal. In all these cases I do not know the development plan situation for when these were allowed, but due to the design and location differences I do not consider that these set a precedent for the appeal proposal.
14. Consequently, the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policy EN1 of the DPD and the

SPD as set out above. It would also be contrary to paragraph 127 of the National Planning Policy Framework (the Framework) which indicates that planning decisions should ensure that developments are visually attractive, sympathetic to local character. Paragraph 130 of the Framework also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. As noted above I have found this to be the case.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR