
Appeal Decision

Site visit made on 13 July 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th August 2020

Appeal Ref: APP/Q3630/W/20/3244671
8 Manorcrofts Rd, Egham TW20 9LU

- 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 Jane Alderton against the decision of Runnymede Borough Council.
 - The application Ref RU.19/1384, dated 21 September 2019, was refused by notice dated 18 November 2019.
 - The development proposed is described as the 'conversion and change of use of existing dwelling house into five flats and the erection of two single storey houses'.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. I have taken the appellant's name from the planning application form because their agent states that they erred in completing the name on the appeal form.
3. As part of the appeal the appellant has submitted a revised plan for the layout of flat four. This shows two of the bedrooms reduced to provide only single bed spaces. Moreover, it shows the introduction of an additional window serving bedroom two of this unit. I consider that cumulatively these amendments are significant, and the development would be so changed that to accept these amendments may prejudice the interests of the interested parties. As such, I have proceeded to determine the appeal on the basis of the plans on which the Council made its decision.
4. Finally, it has been brought to my attention that since the Council issued its Decision Notice, the Runnymede Borough Local Plan Second Alteration 2001 has been superseded by the Runnymede 2030 Local Plan, adopted July 2020 (LP). Both parties have been given opportunity to comment in light of this material change in circumstances and I have proceeded to determine the appeal on the basis of the recently adopted LP.

Main issues

5. The main issues are:
 - i) the effect of the proposal on the living conditions of the occupiers of 7 and 8a Manorcrofts Road with particular regard to noise and disturbance, and outlook;

- ii) whether prospective occupiers would enjoy satisfactory living conditions, having particular regard to the size of external living areas and the internal space of flat 4; and
- iii) the effect on the character and appearance of the area including the effect of the proposal on trees.

Reasons

Living conditions of neighbouring occupiers

6. The appeal site is occupied by a large semi-detached dwelling with single storey elements to the side and a private and enclosed garden to the rear. It is currently in use as a house in multiple occupation (HMO) for up to six individuals. The other half of this semi-detached pair is 7 Manorcrofts Road and on the other side is the detached bungalow of 8a Manorcrofts Road.
7. The proposal is similar to that recently dismissed at appeal¹ which sought to convert and extend the dwelling into five self-contained flats and introduce housing into the rear garden. However, the appellant has amended the scheme including through the reduction of the number and size of new dwellings within the rear garden. The proposal subject of this appeal seeks to erect a pair of one-bedroom dwellings. The appellant highlights that this would result in a reduction of occupants in the proposed housing at the rear from 18 to 4. Furthermore, I note that they have stipulated that access to all units would be through the existing front door to 8 Manorcrofts Road.
8. Nonetheless, the proposal retains the five flats within No 8 which would provide a significant amount of additional accommodation over and above the existing when considered cumulatively with the housing to the rear. Furthermore, I note that the proposal retains the side access, albeit with key access, along the boundary with No 8a and bin storage to the rear. As such, it is likely that some movements will continue along this boundary.
9. I have had careful regard to the appellant's Noise Impact Assessment, dated 11 October 2019. This sets out a baseline for the development providing accommodation for 21 people in total. However, based on the bed spaces shown on the submitted plans, which appear to be reasonable, I consider that the total occupants are likely to be greater. Nonetheless, I place some weight on the findings within the report which concludes that the effects to neighbouring residents would be minimal.
10. However, I do not consider that the likely effects of the proposal can be entirely discounted. I have observed the context to be a residential location with good levels of privacy and relative quiet, particularly at the rear. I find little context for accommodation within rear gardens, save for at 6 Manorcroft Road. However, that example is not the same as the appeal proposal. Overall, the cumulative effect of the five flats and two houses replacing the HMO, in particular with the introduction of housing in the rear garden, would result in additional noise and disturbance from occupants and their visitors coming and going from the property. This would be out of keeping with the existing context.

¹ PINS ref: APP/Q3630/W/18/3215293

11. I note that the Council have introduced concerns over a loss of outlook to adjoining properties as a result of the scale and siting of the rear extension to No 8. However, I have made observations from both No 7 and No 8a and I consider that both the adjoining properties' occupiers would continue to experience reasonable levels of outlook. However, this does not overcome my findings regarding noise and disturbance.
12. Therefore, in conclusion on this main issue I find that the proposal would harm the living conditions of the occupiers of 7 and 8a Manorcrofts Road with particular regard to noise and disturbance. As such, the proposal would be contrary to Policy EE1 of the LP and the National Planning Policy Framework (the Framework). These policies seek to ensure high quality design that responds to local context, and to support development where no adverse impact on the living conditions of occupiers of neighbouring property would occur.

Living conditions of prospective occupiers

13. Policy EE1 of the LP also supports development that ensures no adverse impact on the living conditions of future occupiers and provides an appropriate standard of private garden space. Additionally, Policy SL19 sets minimum space standards for residential units of three bedrooms or below.
14. The proposal would provide small private gardens to serve the two ground floor flats and the two houses in the rear garden. These spaces would be modest and fail to resemble the characteristic garden sizes of the area. Furthermore, they would be enclosed and constrained by any boundary treatments and the presence of large retained trees. As such, they would be of poor quality, even having regard to the proposal being for flatted and one-bedroom development in close proximity to public open spaces.
15. I acknowledge that the proposal has increased the amount of outside space overall compared to the previous scheme. However, the siting of the housing with associated bin storage and the various private gardens significantly constrains the retained communal area. This is generally a narrow strip to the side of the new housing and would not provide well for the occupants of the upper floor flats, or as supplementary space to the units with modest private gardens.
16. Additionally, concerns over the internal space provision for flat four have been raised. Whilst the layout could likely be amended to meet the Council's now adopted minimum space standards, based on the plans on which the Council and other interested parties formed their views, I find that the bedrooms are of a size so that flat four should be considered as a 6-person unit. It would be substantially below standard on this basis. This, cumulatively with the lack of any window to serve bedroom two, leads me to conclude that the internal space of flat four is currently inadequate to provide reasonable living conditions for future occupiers.
17. Therefore, in conclusion on this main issue I find that the proposal would not provide prospective occupiers with satisfactory living conditions, having particular regard to the size of external living areas and the internal space of flat four. As such, the proposal would be contrary to Policies EE1 and SL19 of the LP and the Framework. The aims of which include ensuring that

development provides a high standard of living accommodation for future users.

Character and appearance of the area, including the effect on trees.

18. The appellant's Arboricultural Impact Appraisal, dated 19 July 2019 (AIA) identifies that the Cedar tree on site, although a poor quality specimen, is subject to a Tree Preservation Order. As such, I afford its protection significant weight. Furthermore, the appraisal identifies three B-classified trees in close proximity to the two proposed dwellings to the rear.
19. Through their AIA the appellant indicates that they would retain a number of the existing trees by carrying out lateral reductions and using pile and beam foundations for the dwellings. However, given the size of the trees and the proximity of the dwellings to them, I find that the level of information provided is insufficient to demonstrate that the proposal would not harm the character and appearance of the area through the lifetime of the development.
20. Furthermore, based on the limited evidence provided, I do not find it reasonable to rely on conditions to address the concern regarding the effect of the development on trees. I do not have details on how the proposed arboricultural works would affect the character and appearance of the area, noting for example that the Council's evidence indicates that the mitigation would impact on the finished floor levels. Furthermore, the appellant's evidence provides little comfort that the lifespan of the trees would not be significantly reduced as a result of either harm to the root protection areas or future pressure due to the very close proximity of the new housing to the trees.
21. Additionally, the appellant proposes the felling of one of the B-classified trees, justifying this by stating that it is of moderate quality and replacement planting may compensate for its loss. However, I find that the loss of a B-classified tree is a significant concern and that the evidence does not demonstrate that adequate compensatory landscape planting can be achieved as mitigation.
22. The Council have also raised the effect of the built form on the character and appearance of the area, stating that it would be cramped. The garden development and garden sizes would not be prominent within the street scene. However, the close relationship of the built form and landscape features remains an issue.
23. Therefore, in conclusion on this main issue I find that the proposal would harm the character and appearance of the area due to the likely effect of the proposal on trees. As such, the proposal would be contrary to Policies EE1 and EE11 of the LP and the Framework. These policies seek to ensure appropriate landscaping for development and protection of significant trees towards the aim of high-quality design. This accords with the Framework which is clear that high quality places are fundamental to what planning ought to achieve, and that development should add to the quality of the area over its lifetime.

Other matters

24. The appellant has advanced a number of other material considerations in support of their proposals, including matters relating to the provision of sustainable development. These include boosting the supply of housing within the area and making a more efficient use of land. Furthermore, whilst not affordable within the Framework's definition, I find it likely that providing

smaller units would be more affordable than the existing and note that a good range of unit sizes are being proposed.

25. The site has good accessibility to services and facilities, including public transport links, by means other than the use of the private motor vehicle. Furthermore, four of the seven units would be located at ground floor level over a single storey, providing accommodation suitable for those with reduced mobility. Additionally, the proposal would likely improve the energy efficiency of the existing accommodation through the extension and conversion works and provide two new energy efficient homes with green roofs that may support biodiversity.
26. These factors weigh positively in favour of the scheme. However, even if I take all the benefits of these considerations cumulatively, I do not find that they would outweigh the significant harm that I have identified above.

Conclusion

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

James Taylor

INSPECTOR