



Appeal Decision

Site visit made on 29 September 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/Z3635/W/19/3243922

5 New Park Road, Ashford TW15 1EG

- 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 Paul Burden against the decision of Spelthorne Borough Council.
 - The application Ref 19/01400/FUL, dated 17 October 2019, was refused by notice dated 19 December 2019.
 - The development proposed is the erection of a detached 2-bedroom chalet bungalow to the rear of 5 New Park Road and the subdivision of the plot with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises various outbuildings behind a bungalow at 5 New Park Road. There is a shared access between the bungalow and a two storey building at 3 New Park Road comprising flats. Surrounding properties are a mixture of bungalows, semi-detached houses, blocks of flats and terraced houses. Many have been extended and altered. On the same side of the street as the appeal site, there are garage forecourts/outbuildings to the rear of dwellings on the frontage.
4. The proposal would result in the removal of unsightly outbuildings and associated paraphernalia and replacement with a bungalow. There would be substantial landscaped screening to the rear of the development plot and further landscaping could be added. There is a variety of housing forms and designs within the area. However, there remains a distinctive pattern of development to the area with frontage dwellings and gardens or outbuildings/garage forecourts to the rear, with such buildings being of a subservient and domestic scale.
5. In contrast, the bungalow would be a noticeable bulky feature due to its scale because of its first floor, containing a substantial sized box-like dormer. Its backland location would also be out of keeping with the linear pattern of development in the area. The plot's layout, with little space in front, would

furthermore be visually contrived and unsympathetic in an area where dwellings are more spaciouly set back within their frontages. Additionally, it has not been demonstrated that the clearance of the site is dependent upon permission for this development.

6. The Council's Design of Residential Extensions and New residential Development Supplementary Planning Document (SPD) 2011 details design criteria for well-designed dormers. The proposed dormer would not be 'set in' a minimum of 1 metre from the roof edge, 0.5 metre down from the ridge or 1 metre up from the eaves because it extends across most of the rear roof area. Although guidance, the SPD amplifies Policy EN1 of Spelthorne Core Strategy and Policies Development Plan Document (DPD) 2009 which requires development to have a high standard in design and layout.
7. At Casa Mia on Coolgardie Road, there is a larger dwelling built on a similar backland plot which is accessed by a small passage between houses. It includes side dormers, including a large glazed dormer. However, planning permission was originally granted in the late 1950s and, whilst it has been re-built, the principle of a dwelling at this site has not been subject to assessment against current local and national planning policies, especially in respect of design.
8. There have also been planning permissions granted for dwellings to the rear of 6 and 38 New Park Road. However, these dwellings would form part of Ostlers Drive, a development to the south of the appeal site, which has its own identity separate to New Park Road. A backland dwelling has also been granted planning permission on land at Orchard Close. However, this does not relate to the context of the appeal site because it is located to the south of Feltham Hill Road.
9. For all these reasons, there are material differences between these developments and the appeal proposal before me. In any case, they are also the exception to the general linear pattern of development in the locality of the appeal site. Thus, they would not set a precedent for the appeal development and demonstrate to me that every proposal has to be considered on its particular planning merits.
10. In conclusion, the development would harm the character and appearance of the surrounding area. It would not respect and make a positive contribution to the street scene and character of the area, having regard to scale, height, proportions, building lines and layouts in conflict with Policy EN1 of the DPD.
11. The proposal would boost housing supply in an area with no 5 year housing supply. However, the National Planning Policy Framework (the Framework) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It indicates design is a key aspect of sustainable development at paragraph 124. The unattractive and unsympathetic nature of the development would harm the character and appearance of the area and this would be significant, permanent and long-term. Furthermore, one dwelling would have a negligible benefit in boosting housing supply. Therefore, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

12. The development has been designed with acceptable private outdoor living space and all the rooms in the dwelling would have suitable outlook. However, these are not considerations in favour of development as they are necessary requirements in any development coming forward to be permitted.

Conclusion

13. The proposal would harm the character and appearance of the area in conflict with a DPD policy and the development plan taken as a whole. There are no material considerations to outweigh that finding. Therefore, for the reasons set out above, this appeal is dismissed.

Jonathon Parsons

INSPECTOR