The Planning Inspectorate

Appeal Decision

Site visit made on 20 October 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2020

Appeal Ref: APP/Z3635/D/20/3256884
19 Shortwood Avenue, Staines-Upon-Thames TW18 4JN

- 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 S Singh against the decision of Spelthorne Borough Council.
- The application Ref 20/00330/HOU, dated 6 March 2020, was refused by notice dated 7 May 2020.
- The development proposed is "Roof alterations to include a hip to gable extension, the installation of a rear dormer window and two roof lights to the front roof slope".

Decision

1. The appeal is allowed and planning permission is granted for "Roof alterations to include a hip to gable extension, the installation of a rear dormer window and two roof lights to the front roof slope" at 19 Shortwood Avenue, Staines-Upon-Thames TW18 4JN in accordance with the terms of the application, Ref 20/00330/HOU, dated 6 March 2020, and shown on drawing numbers 9SA/04122017/REV-D-1/2 and 9SA/04122017/REV-D-2/2, subject to the following condition;

    1. The development hereby permitted shall be carried out in accordance with the following approved plans: 9SA/04122017/REV-D-1/2 and 9SA/04122017/REV-D-2/2

Procedural Matters

2. The application form indicates that the appeal development has already taken place and is complete. From my site visit, whilst it was clear that the development had commenced, it did not appear to be wholly complete.

3. The appellant has submitted an updated set of drawings which more accurately reflect what has been built and what the application and this appeal seek planning permission for. The Procedural Guide Planning appeals – England generally counsels against considering amended plans at appeal. However, I have considered the nature of the proposal, the amendments to the drawings and their purpose, as well as the level of engagement of third parties with the application and appeal. Taking those into account, I do not consider that accepting the amended drawings would lead to any prejudice or deprive those who should have been consulted on the changed development the opportunity of such consultation.

Main Issue

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

Reasons

5. The appeal site is a semi-detached, formerly hipped-roof house on a street of similar houses. A shared chimney in the centre of the roof delineates the site from its attached neighbour. The street has a consistent building line, which limits views of the side and rear of the property from the street to the front, although longer views are available of the rear of the street from further away. Within the street-scene there are a number of rear dormers, side dormers, hip-to-gable extensions and other alterations. A previous lawful development certificate (LDC) established that a hip-to-gable extension and a substantial rear dormer, itself beyond the scope of the Council's Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011 (the SPD) would be permitted development.

6. The appeal development is undoubtedly a large addition to the property. Viewed from the side, the additional mass and bulk of the site is evident. However, much of the additional bulk does, in my view come from the hip-to-gable extension.

7. I note that the Council does not consider that the LDC for roof alterations offers a fall-back position of any weight. Whilst I agree that the appeal proposal is materially different to the proposals shown in that certificate, given the level of development which has taken place on the site, I consider that there is a very real prospect of that development taking place, even if this appeal were to be dismissed. As a result, I give the scale, form and appearance of that alteration, which the Council accepts as being permitted development despite being outside the scope of the SPD, some weight in the determination of this appeal.

8. The roof form of the appeal development differs from that of the LDC, and I acknowledge the comments of the LPA that this takes what has been constructed outside that assessed for the LDC. The raising of the ridge-height and the steepening of the uppermost part of the front plane of the roof are the elements most evident from the public domain, but they require a close inspection of the gable-end to be fully appreciated. However, given the limited views of the gable-end, I do not consider that the additional height, is in itself harmful to the character and appearance of the area, or harmful to the symmetry of the pair or wider street. The shared chimney on the ridge between the site and its neighbour serves as an effective visual break between the two ridges, disguising that height difference. The difference in ridge height between the site and its detached neighbour is disguised by the gap between them and the change from a gabled to hipped roof.

9. The width and overall scale of the rear dormer is evident in the loss of the detail of the rear roof slope from the gable end. However, that roof slope detail would itself be somewhat alien, given the dominance of hipped-roofs in the street, so I do not on balance consider its loss to be unacceptable or harmful.

10. As a result, whilst the appeal development is clearly large, and does add bulk to the site, I do not consider that it is so large to cause the harm to the character and appearance of the area alleged by the Council, particularly in light of the fall-back position set out above and the relatively limited visibility from the front. In reaching this conclusion, I have had regard to the contents and aim of the SPD, and the relationship of the SPD to the permitted development regime. I also note that the Council does not consider the proposal to have any impact on neighbouring properties. The proposal would

on balance therefore comply with Policy EN1 of the Core Strategy and Policies Development Plan Document, adopted 2009 which seeks to ensure that development does not harm the character and appearance of the area.

Conditions

11. As the appeal development has begun but not yet been completed, I have not imposed a time limit condition. Compliance with the submitted plans, which includes details of materials and finish is however required in order to ensure the satisfactory appearance of the completed development, and I have imposed such a condition.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed, and planning permission granted.

S Dean

INSPECTOR