



Appeal Decision

Site Visit made on 15 November 2021

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 24 November 2021

Appeal Ref: APP/Z3635/W/21/3277275

13 Thetford Road, Ashford TW15 3BW

- 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. Sukhwinder Singh (RSP Homes) against the decision of Spelthorne Borough Council.
 - The application Ref 20/01271/FUL, dated 23 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is the erection of 3 no. terraced dwellings following demolition of existing bungalow and garage as shown on amended drawings number PL-01-09 received on 06 November 2020.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the Council's description of development as this more accurately describes the proposals.
3. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. The main parties have had the opportunity to comment on the changes. I have therefore determined this appeal with regard to the current version, published in July 2021.

Main Issues

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

Reasons

5. The appeal property comprises a detached bungalow with double garage, and is situated on the western side of Thetford Road. The road is residential in nature, and includes a range of detached and semi-detached dwellings of mixed design and style.
6. The proposed development would introduce a small terrace of three new dwellings within the appeal site, each being three storeys tall. In itself, the introduction of a terrace in this location would jar with the prevailing character of the street, which is typified by detached and semi-detached dwellings. Similarly, whilst the ridge would be consistent in height with neighbouring properties, the additional storey would appear incongruous in the street scene, as the road is primarily made up of bungalows and two-storey dwellings (notwithstanding any loft conversions which have been incorporated into

existing roof space). Moreover, whilst the proposed dormers would be proportionate to the size of the roof slope, their pointed roofs would exaggerate the height of the dwellings and their third storey, exacerbating this incongruity. Taken together, these factors mean the new dwellings would appear discordant with the general pattern of development along Thetford Road, which would harm the character of the area.

7. The Council's Design Guide SPD¹ (Design SPD) requires a set-in distance of at least 2m from the side boundary for three storey dwellings. In this instance, each end of terrace dwelling would be set-in from their respective side boundaries by only 0.8m, falling significantly short of this margin. Even if the properties were deemed more akin to two-storey dwellings, they would still fall short of the recommended 1m separation distance. As a result of this shortfall, the terrace would occupy almost the full width of the plot, thereby appearing very cramped and "hemmed in".
8. These impacts would be further amplified by the proposed parking arrangement to serve the new properties. To ensure the dwellings would adhere to the Council's parking standards set out in its Parking SPD², each dwelling would accommodate two parking spaces along its frontage. This would amount to six parking spaces in total, extending across almost the entire width of the appeal site. Notwithstanding the proposed surfacing of the parking spaces, the frontage of the new dwellings would therefore be entirely dominated by parked cars with very minimal landscaping, which is indicative of the site's limitations with regard to accommodating three new dwellings. This arrangement would also conflict with the guidance set out in the Council's Design SPD, which is clear that designated parking areas should not exceed more than 50% of a property's frontage.
9. For these reasons, the development would harm the character and appearance of the area. The development would conflict with Policy EN1(a) of the Council's Core Strategy and Policies Development Plan Document (2009) (CS) which requires new development to make a positive contribution to the street scene, by paying due regard to the scale, height, proportions and other key characteristics of neighbouring buildings and land. For the reasons already highlighted, the proposals would also conflict with the design parameters set out in the Design SPD.

Other Matters

10. The Council cannot demonstrate a five-year supply of deliverable housing, so paragraph 11(d)(ii) of the Framework (2021) is engaged.
11. Whilst the CS does date back to 2009, the weight to be attached to its policies does not hinge on its age. Rather, paragraph 219 of the Framework is clear that due weight should be given to existing policies according to their degree of consistency with the Framework.
12. Paragraph 130 of the Framework is explicit that new development should function well and add to the overall quality of an area, by creating visually attractive development which is appropriate in terms of architectural design, layout and landscaping. It goes on to say that new development should be

¹ Design of Residential Extensions and New Residential Development Supplementary Planning Document, April 2011

² Spelthorne Borough Council Supplementary Planning Guidance, Parking Standards (2001)

sympathetic to local character, and should respect the surrounding built environment. The content of the Framework therefore reflects the overriding design and character principles of the CS in terms of new residential development. Even accounting for the Framework's objective of boosting the supply of housing and the Council's land housing land supply position, the conflict between the proposal and Policy EN1 of the CS should therefore be attributed significant weight in this appeal.

13. In terms of benefits, the proposal would contribute to the Council's housing stock. However, whilst any increase to the Council's housing supply is desirable, the net addition of two dwellings would only be a very modest contribution in this instance.
14. Consequently, the adverse impacts of the development in terms of the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply in this instance.

Conclusion

15. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR