



Appeal Decision

Site visit made on 18 March 2022

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5TH April 2022

Appeal Ref: APP/Z3635/W/21/3279747

5 Station Road, Ashford TW15 2RL

- 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 M Ali against the decision of the Council of the Borough of Spelthorne.
 - The application Ref 20/01452/FUL, dated 27 November 2020, was refused by notice dated 19 March 2021.
 - The development proposed is a new 2 bed flat to the third and fourth floors.
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Decision

1. The appeal is allowed and planning permission is granted for a 2 bed flat to the third and fourth floors at 5 Station Road, Ashford TW15 2RL in accordance with the terms of the application, Ref 20/01452/FUL, dated 27 November 2020, subject to the conditions on the attached schedule.

Procedural Matter

2. In his appeal statement the appellant describes the proposal as revisions to planning approval Ref 17/01920/FUL. That scheme was for the erection of a two storey rear extension to 7 to 9 Woodthorpe Road and a two storey building with accommodation in the roofspace at 5 Station Road, following the demolition of an existing building and part of an arcade area to provide five 2 bed flats with associated amenity space, servicing and cycle storage ('approved scheme').
3. However, notwithstanding that, I have taken the description of this proposed scheme from the application form. In any event, as set out in the appeal statement, and as I observed on my visit, the approved scheme is almost complete.

Main Issue

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

Reasons

Character and appearance

5. The building at 5 Station Road has been recently constructed as part of the approved scheme. It has a two storey frontage abutting the pavement on Station Road, and other than the dormers in its front roof, its form, along with its scale and height, reflect the Victorian style terrace to which it is attached.

6. To the north the building abuts the much larger, modern five storey block of flats at Ash House, whose upper two floors are slightly recessed from Station Road. Given its bulk and prominence, Ash House clearly forms part of the wider area's established character.
7. In the vicinity of the appeal site I observed many two storey buildings on Woodthorpe Road, some with additional accommodation at roof level, and a contemporary four storey building on the corner opposite its junction with Station Road. The buildings, which are in a mix of residential and commercial uses, are predominantly faced in brick and render. The photographs between paragraphs 2.10 and 2.22 of the appellant's statement demonstrate that the area also has a varied roofscape, which includes one in a broadly mansard style. Thus, I agree with the Council that the area's character is very mixed.
8. Given the scheme's significant set-back, well behind the front face of the host property, and behind the front face of Ash House, its front elevation would be barely visible, if at all, from Station Road. It would be more apparent from the elevated section of Church Road beyond, but views of it would often be filtered by trees, and its height would provide a coherent and logical transition from the attached two storey terrace on one side, to the bulkier Ash House to the other.
9. The scheme would not be prominent from other public vantage points due to its location well to the rear of the mainly two storey buildings which abut the pavements on Station Approach and Woodthorpe Road.
10. Whilst the scheme's mansard style roof, and its fenestrated side wall would be seen in distant views above the single storey building at 1 and 1A Woodthorpe Road, they would alleviate the rather bland expanse of unalleviated brickwork on the side face of Ash House. The proposed windows would respect the proportions of those in the floors beneath and some would align with them. In that context, the scheme's side wall and roof would add interest to, rather than detract from, the streetscene.
11. Amongst other things and in general terms, Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 requires a high standard of design. It continues that development should respect and make a positive contribution to the streetscene and the character of the area, paying due regard to matters such as the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
12. The Council's Design of Residential Extensions and new Residential Development Supplementary Planning Document 2011 amplifies that approach, whilst the National Planning Policy Framework 2021 ('Framework') supports visually attractive architecture which is sympathetic to local character. For the reasons above, the scheme would not harm the character and appearance of the area, and it would not conflict with those policies and that advice.

Other matters

13. I have no cogent evidence that this very modest proposal would have a significant impact on foul or surface water drainage, or that it would significantly impact the safety or convenience of highway users in this highly sustainable location.

14. In its favour, the scheme would make an effective and efficient use of a small, previously developed site to supply an additional unit of accommodation. It would be in a very accessible location adjacent to a range of services, including the railway station and a host of town centre facilities, which the future occupants would in all likelihood help to support.
15. Consequently, as well as social and environmental benefits, there would be economic benefits both during the flat's construction and from its subsequent occupation. In these regards, the scheme finds considerable support from both the development plan and the Framework, including its paragraph 69.
16. Whilst the contribution to housing supply would be small, this is nonetheless a significant benefit given that the Council cannot demonstrate a five year housing land supply as required by Framework paragraph 74. In such circumstances, and given the latest Housing Delivery Test results, the Framework's presumption in favour of sustainable development applies.

Planning Balance, Conditions and Conclusion

17. I have found that the scheme would not harm the character and appearance of the area. Even if I am wrong on that, and there would be some limited harm, having regard to Framework paragraph 11 d) the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against its policies taken as a whole. The appeal will therefore be allowed.
18. The Council has proposed a number of conditions, which I have considered against the Framework's tests, making amendments where necessary to improve precision, clarity and enforceability. I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. As those plans set out that the scheme would be faced with materials to match those used on the existing building, the Council's third suggested condition requiring details of facing materials to be submitted is unnecessary.
19. In the interests of sustainable development, my condition no. 3 is necessary requiring that at least 10% of the scheme's energy requirements are generated utilising renewable methods. Condition no. 4 is imposed for a similar reason. My condition no. 5 is necessary in the interests of the character and appearance of the area and to ensure appropriate living conditions for all users.
20. Finally, with regards the Council's fourth suggested condition, I note that the scheme's flank elevation would contain windows, and it is unclear from the submitted evidence how neighbouring amenities could be harmed by the formation of additional openings. I have not therefore imposed that condition.
21. For the above reasons, and having regard to all other matters raised, including representations by interested parties, the appeal is allowed.

Chris Couper

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: PR1, PR2, PR3, PR4, PR5 and PR6.
3. Prior to the first occupation of the development, a report shall be submitted to, and agreed in writing by, the local planning authority, which shall include details to demonstrate how 10% of the energy requirements generated by the development will be achieved utilising renewable energy methods. The report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised to meet the scheme's requirements. The agreed measures shall be implemented prior to the first occupation of the development, and shall thereafter be retained.
4. Prior to the first occupation of the development, facilities for secure and covered parking for bicycles shall be provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The approved facilities shall be retained thereafter.
5. Facilities within the curtilage of the site for the storage of refuse and recycling materials shall be submitted to, and approved in writing by, the local planning authority. The agreed details shall be implemented prior to the first occupation of the development hereby approved and shall be retained thereafter.