



Appeal Decision

Site visit made on 3 May 2022

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2022

Appeal Ref: APP/Z3635/W/21/3287914

8 Celia Crescent, Ashford TW15 3NW

- 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 David Coates against the decision of Spelthorne Borough Council.
 - The application Ref 21/00588/FUL, dated 12 April 2021, was refused by notice dated 1 June 2021.
 - The development proposed is the change of use from garage into residential unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The submitted plans show an existing garage building, and the proposed plans show this as being converted into living accommodation, however the application form states that work was completed in March 2021. As such I consider the proposal to be retrospective.
3. The submitted drawings do not reflect what has been constructed on the site, including the position of the windows. For the avoidance of doubt, I have based my decision on the drawings considered by the Council, not on what has been constructed.

Main Issues

4. The main issues are
 - the effect of the proposal on the character and appearance of the surrounding area;
 - whether the proposal provides adequate living conditions for occupiers, with respect to the provision of internal and outdoor space; and
 - the effect of the proposal on the living conditions of the occupants of No 8 Celia Crescent, the host property, having particular regard to outdoor space.

Reasons

Character and Appearance

5. Celia Crescent is located within a wider residential area which is generally characterised by semi-detached bungalows fronting the road. The properties are set back from the road with open frontages which provides a sense of openness and some off-street parking. A number of extensions and

outbuildings are evident, however, there is a generally regular separation gap between properties and uniform garden size, resulting in a consistency of design for the wider development.

6. No 8 is set on a corner, with its side elevation facing the main access way off Woodthorpe Road. The residential unit the subject of this appeal is set at the end of its garden, behind a substantial side elevation wall, and is accessed off the main road.
7. Whilst the property therefore has a street frontage and separate access directly off the street, given its location at the end of the garden, it is located incongruously close to the side elevation of No 8A, a detached bungalow. It is also set forward of this neighbour and whilst there are side elevations and outbuildings nearer the highway, this relationship between neighbouring separate properties appears awkward and unsympathetic to the prevailing consistent pattern of development. The dwelling is also obscured from the highway by its siting behind a tall boundary wall. This detracts from the generally open frontage character of the surroundings.
8. Moreover, whilst not shown on plan, the separation of the garden of the main house to provide 2 separate residential units would result in garden sizes noticeably smaller than the surrounding units and consequently, the new dwelling appears cramped and out of keeping with the character and appearance of the surrounding area.
9. I conclude that the development harms the character and appearance of the surrounding area. Accordingly, the development conflicts with the requirements of Policy EN1 of the Core Strategy and Policies Development Plan Document (2009) (DPD) which requires developments to respect and make a positive contribution to the street scene and character of the area. This is consistent with the good design requirements of the National Planning Policy Framework (the Framework). There is also conflict with the design advice set out in the Supplementary Planning Document 'Design of Residential Extensions and New Residential Development' (2011) (SPD), which sets out that garden sizes should respect the character of the area.

Living Conditions for occupiers

10. The Council refer to a requirement in the SPD for a minimum garden size of 10.5 metres to the rear boundary, however the SPD states that this specific distance is required in order to protect overlooking and outlook. Neither issue is a reason for refusal nor are in dispute.
11. The SPD, however, also requires building plots to be of sufficient size to provide garden space appropriate to the size of the dwellings proposed and sets out minimum garden areas in Table 2. This states that 35sqm is required for 1-bedroom dwellings. As set out above, no information is shown on the submitted plans regarding garden size, however the appellant's appeal statement does set out that the new unit has a 4m deep rear garden of 38sqm. However, as this is not shown on plan, I have no way of confirming nor securing this. In the absence of this information, it has not then been demonstrated that sufficient outdoor space is provided for this unit.
12. Internally, the Council and appellant set out that the floor area of the unit measures at approximately 30sqm. This falls short even of the 35sqm required

for a 1-person unit, as set out within the Technical Housing Standards – nationally described space standard (March 2015 (amended 19 May 2016)).

13. I therefore find that the proposal has an unacceptable and harmful effect on the living conditions of the intended occupiers of the scheme, with respect to the provision of internal space and the provision of private amenity space. It conflicts with DPD Policy EN1 which provides that, amongst other things, proposals should demonstrate a high standard in the design and layout of new development.

Living Conditions for occupiers of No 8 Celia Crescent

14. Similarly, whilst it is stated that the host property would enjoy a 12m garden length, no information has been provided on plan regarding the remaining garden space or the size of the host dwelling. Therefore, it has also not been demonstrated that sufficient garden space remains for No 8 Celia Crescent.
15. I cannot therefore say that the development does not harm the living conditions of the occupiers of this property. The development also therefore conflicts with DPD Policy EN1 in this respect.

Planning Balance and Conclusion

16. The Council sets out that it is unable to demonstrate a 5-year supply of deliverable housing sites taking into account the 20% buffer to which the Framework refers. As a result, paragraph 11 d) of the Framework is engaged. The proposal results in 1 additional unit of accommodation which make a minimal contribution to addressing this shortfall and to the Government's broader objective of significantly boosting the supply of homes.
17. The new unit of accommodation contributes to the mix of housing in the local area, specifically with respect to the provision of smaller households. However, due to the quantum involved, this contribution is limited. There would also have been some limited benefit to employment during construction and the new occupiers contribute to the local economy through their support of local shops and services. They could also take advantage of the accessible location to meet many of their daily needs.
18. I have taken full account of all the matters advanced in support of the proposal, and collectively I have given them moderate weight. Nevertheless, the harm to the character and appearance of the area, poor standard of living accommodation and impact upon No 8 Celia Crescent are matters to which I attribute great importance. I therefore consider that the adverse impacts of granting planning permission significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
19. For the reasons given above I find that the proposal conflicts with the development plan when considered as a whole. None of the other considerations, which include the Framework, indicate that this appeal decision should be taken otherwise than in accordance with the development plan. The appeal is therefore dismissed.

B Phillips

INSPECTOR