



Appeal Decision

Site visit made on 16 September 2022

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2022

Appeal Ref: APP/Z3635/D/22/3295296

51 Penton Avenue, Staines-Upon-Thames TW18 2NA

- 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 Mrs Sarah Drabwell against the decision of Spelthorne Borough Council.
 - The application Ref 21/01959/HOU, dated 23 December 2021, was refused by notice dated 18 February 2022.
 - The development proposed is 'Proposed loft conversion that would include hip to gable extensions, the installation of a rear facing dormer with Juliet balcony and 3 no rooflights within the roof slope'.
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Decision

1. The appeal is allowed and planning permission is granted for the '*Proposed loft conversion that would include hip to gable extensions, the installation of a rear facing dormer with Juliet balcony and 3 no rooflights within the roof slope*' at 51 Penton Avenue, Staines-Upon-Thames TW18 2NA in accordance with the terms of the application, Ref 21/01959/HOU, dated 23 December 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development on the application form was "*Double hip to gable and rear former loft conversion, installation of French Door with Juliet Balcony and front roof lights*". This description was amended following submission of the application. I have referred to the amended description for the purposes of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

4. The appeal site is a modest bungalow with a hipped roof, fronting Penton Avenue, a predominantly residential street. Penton Avenue comprises of a varied range of dwelling types, scales and designs. There are several bungalows along Penton Avenue which are similar in scale and design to the appeal site; most have retained a simple unencumbered hipped form.

5. The appeal scheme would create a hip to gable extension on both sides of the roof and would introduce a flat roof dormer to the rear elevation. Gabled roofs are a feature of the area, although most of the bungalows in the immediate vicinity have retained their modest hipped roof form. Hip to gable extensions at the appeal site are the subject of a previous Certificate of Lawfulness for Proposed Use or Development (CLOPUD) (Council ref. 13/00414/CPD) and as such, this forms a fallback position in respect of the appeal scheme. Indeed, the Council has taken this into account and has limited its reasons for refusal to the rear dormer.
6. The Design of Residential Extensions and New Residential Development Supplementary Planning Document (SPD) seeks for dormer windows to be centrally located within the roof slope, with a metre set-in from the edge of the roof and set down from the ridge to create a subservient form of dormer. The SPD should be applied flexibly to the circumstances of the case. The appeal scheme would introduce a dormer to the centre of the rear roof slope. The dormer would be wide, but it would have a generous set-in from the gable ends. It would have only a minimal set-down from the ridge, and it would have a set-in from the eaves albeit not the full 1 metre advised in the SPD.
7. As such, it would not comply with the SPD guidance. However, its relatively modest proportions and set-ins would prevent it from dominating the host building, which would be substantially larger by virtue of the gabled roof. Its tile hung sides and simple design would further integrate it into the roof of the host dwelling.
8. Given its rear elevation siting and the position of the appeal site, the dormer would not be prominent in the street scene. It is likely that only one side would be visible from the street, which would not reveal its width or overall scale. There are rear dormers in the area which are visible or glimpsed within the street scene, in a similar manner.
9. As such, the appeal scheme would be in keeping with the character and appearance of the host dwelling and surrounding area. For these reasons, the appeal scheme would comply with policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (CS), adopted in 2009, and the Framework. These policies seek, amongst other things, that development should respect, and make a positive contribution to, the street scene, and that it is sympathetic to local character.

Conditions

10. The Council has requested a total of four conditions. I consider it reasonable and necessary to impose the standard conditions requiring that the development takes place in a timely manner, in accordance with the approved plans. I also consider it reasonable and necessary to impose a condition requiring that the external facing materials match the existing, to ensure that the development integrates well with the host building and surrounding area. The Council has requested a condition requiring that construction waste and materials stored on the site are removed from the land upon completion, to ensure that no materials or waste are stored in a manner which would displace flood water; I consider this condition is reasonable and justified given the flood zoning of part of the site.

Conclusions

11. For the reasons given above, the appeal scheme complies with the relevant policies of the development plan, and no material considerations indicate that the development should be determined other than in accordance with the development plan. The appeal is accordingly allowed.

Kim Langford Tejrar

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby approved shall be carried out in accordance with the following approved plans; Location Plan, Proposed floor plans
SL_21_51PENTONAVE_plan_03 Rev B, Proposed elevations
SL_21_51PENTONAVE_plan_04 Rev B, Existing and proposed section
SL_21_51PENTONAVE_plan_05 Rev B.
3. Notwithstanding condition 1 above, the external surfaces of the development hereby permitted shall be constructed in materials which match the existing building.
4. All spoil and building materials stored on site before and during construction shall be removed from the land liable to flood upon completion of the development.