



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: 04 October 2022

Appeal Ref: APP/Z3635/D/22/3295167

10 Avon Road, Sunbury-on-Thames TW16 7TB

- 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 Mamta Kansara against the decision of Spelthorne Borough Council.
 - The application Ref 21/01872/HOU, dated 02 December 2021, was refused by notice dated 24 January 2022.
 - The development proposed is 'Erection of a first floor side/rear extension and part single storey rear extension'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended following submission of the application; I have utilised the amended description.

Main Issues

3. The main issues are:

- The effect of the proposal on the character and appearance of the host building and surrounding area; and,
- The effect of the proposal on the living conditions of occupiers of neighbouring property, specifically no.8 Avon Road.

Reasons

Character and appearance

4. The appeal site is a detached two-storey dwelling situated within Avon Road, a predominantly residential street within a planned estate. Despite variance in design, most of the dwellings in the vicinity are either modest two-storey dwellings or bungalows. The appeal site is situated between a semi-detached pair of dwellings and a semi-detached bungalow (no.8 Avon Road).
5. The appeal scheme would introduce a two-storey side extension and a two-storey rear extension, in addition to a single-storey rear extension. The two-storey side extension would project over the existing single-storey lean-to extension, which abuts the boundary with no. 8 Avon Road, and it would project from the rear elevation above existing single-storey rear extensions.

6. The Design of Residential Extensions and New Residential Development Supplementary Planning Document (SPD) advises side elevation extensions should retain a gap of 1 metre width with the flank boundary. The SPD should be applied flexibly to the circumstances of each case. In this case, whilst the scheme would abut the boundary, it would not create the terracing effect that the SPD seeks to avoid due to no.8 being a modest bungalow. In any case, a terrace would not be out of keeping with the area.
7. The SPD also seeks an inset from the front elevation to maintain the subservience of side extensions. The proposed two-storey side extension would be on the footprint of the existing single-storey side extension and as such, it would not be setback from the front elevation. However, the surrounding area features a variety of dwelling types and the detailed design of the scheme would include an asymmetrical roof, which would reduce the front-facing mass of the side extension and integrate it into the design of the front elevation. The front door to the front elevation would be an improvement to the existing layout of the site.
8. However, the additional two-storey depth would present a massive unarticulated flank to the north end of the street. This massive flank would be prominent due to the slight widening of the road to accommodate driveways and the alignment of the appeal site with a bungalow adjacent. It would appear out of scale and proportion with the host dwelling and would appear intrusive and incongruous within the street scene vernacular of modest dwellings.
9. The acceptable and slightly improved elements of the scheme would not outweigh this harm to the character and appearance of the host dwelling and surrounding area. For this reason, the appeal scheme would conflict 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, to achieve a high quality of design which integrates well with the character of the area, and which has satisfactory relationship to adjoining properties, avoiding a significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity, or outlook.

Living conditions

10. There are existing ground-floor side and rear extensions with windows, and there is an existing first-floor window within the flank. The existing first-floor window is narrow, it appears to serve a hallway, is set away from the boundary and is aligned with the flank elevation of no.8, thereby limiting the extent of overlooking of no.8.
11. The appeal proposal would increase the depth and height of built form immediately abutting the boundary with no.8 Avon Road. The existing first-floor window would be removed, and a new, slightly wider, window would be inserted into the first-floor flank elevation. The new window would serve a habitable bedroom and would directly abut the boundary with no. 8. It would not be aligned with the flank of no. 8 and would allow direct overlooking into the private rear garden of no. 8. It would also open out over the boundary.
12. A condition requiring the window in question to be obscure glazed and non-opening would overcome the issue of actual overlooking (if not perceived overlooking). This would result in a poor design which would limit the outlook

and ventilation of the bedroom to rooflights alone, which would create a poor standard of accommodation for users of the development. As such, a condition would not appropriately address the issue of living conditions.

13. For this reason, the appeal scheme would conflict with policy EN1 of the CS and the Framework.

Conclusions

14. For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan. No material considerations indicate that the proposal should be determined other than in accordance with the Development Plan. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR