



Appeal Decision

Site visit made on 31 August 2022

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2022.

Appeal Ref: APP/Q3630/W/21/3287622

8 Manorcrofts Road, Egham, TW20 9LU

- 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 Dr Jane Alderton against the decision of Runnymede Borough Council.
 - The application Ref RU.21/0605, dated 19 March 2021, was refused by notice dated 3 September 2021.
 - The development proposed is Erection of two storey side and rear extensions with accommodation in the roof and erection of part single storey part two storey rear extension and change of use of existing HMO into seven flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal used by the Council in their decision notice as this gives a clear description of the type of development proposed.

Main Issues

3. The main issues are:
 - the effect of the proposal upon the living conditions of the neighbouring occupiers on Manorcrofts Road with particular regard to noise and disturbance;
 - whether prospective occupiers of some flats would enjoy satisfactory living conditions, having particular regard to privacy, noise, disturbance, odours and ventilation; and,
 - the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Living conditions of neighbouring occupiers

4. The appeal site is a large, two storey, semi-detached residential property with accommodation in the roof space and a garage to the side with space for parking in front of it. The house has a shallow front garden set back from the pavement behind a low wall planted with hedges along its boundary. It has a

large garden to the rear. The house is currently used as a house in multiple occupation for up to 6 people. No 7 is a single dwelling adjoining it and on the other side No 8a is a detached bungalow. The surrounding area comprises mainly detached and semi-detached housing of varying designs and ages and has a suburban residential character.

5. The proposal is to extend the property to the side and rear and convert it into 7 flats with a total of 12 bedrooms. There would be parking provision for 3 cars and 8 bicycles to the front of the property along with a bin store next to the boundary with the adjoining neighbour's front garden. There is also public off road parking next to a raised planted area to the front of the property.
6. According to the Council, 4 previous planning applications at the appeal property have been refused and dismissed at appeal. They included applications to increase the number of HMO residents and to convert the building to flats and build houses in the rear garden. Inspectors found that the proposals would have caused unacceptable harm to the living condition of neighbours due to increased noise and disturbance. The details of those proposals have not been provided to me, so I am unable to assess the differences between them and this appeal. Therefore, whilst I am mindful of the importance of consistency in the decision making process, I must determine this appeal on its own planning merits.
7. The appeal site is next to a relatively busy road, close to a railway line and underneath the flight path from Heathrow all of which affects background noise levels. I have had regard to the appellant's Noise Impact Assessment dated 12 February 2021 (NIA). That assessment concluded that the noise impact on occupiers of No 7 would be equal to, or below, World Health Organisation guideline levels and below the background levels particularly caused by planes flying overhead. The assessment was based on 19 people living at the proposed flats and with noise mitigation in the form of a 2m high fence at the boundary.
8. Whilst I accord the NIA some weight, I note the proposed development could accommodate up to 24 people. Currently the level of activity associated with 6 occupants is comparable with that which might be expected of a family home. The NIA assumed no changes in terms of vehicle activity. Although the number of parking spaces would remain the same, the level of activity from cars parking and deliveries would likely increase along with associated disturbance from lights, engine noise and doors opening and closing.
9. The proposed rear garden would be subdivided into private and communal areas. Access to it would be via a rear door in the property rather than a side gate adjacent to 8a, as is currently the case. Even with noise mitigation, the level of activity and associated disturbance at the front of the property from people entering and leaving the house and using the bin storage and cycle parking, and in the rear garden, would be substantially greater than is currently the case and more than might be expected of a semi-detached property of this size. In my view, this would harm the living conditions of occupiers of both neighbouring properties and particularly at No 7 because the house adjoins the appeal property.
10. The appellant has referred to other flats within the area, including Nos 1 and 2 Manorcroft Road. I have no details of the numbers of residents at those properties but note that they are detached and have much larger forecourts

than the appeal site. As such residents coming and going from them would have less of an impact on neighbours than at the appeal site.

11. Overall, I conclude on this main issue that the proposed development would lead to an unacceptable increase in harm to the living conditions of neighbouring occupiers, with particular regard to noise and general disturbance. The proposal would therefore conflict with Policy EE1 of the Runnymede 2030 Local Plan (2020) (LP) and the National Planning Policy Framework (the Framework) which support development that ensures there would be no adverse impact on the amenities of occupiers of neighbouring properties.

Living conditions of occupiers of the proposed development

12. Two of the ground floor flats would have rear private garden space. The Council is concerned that they would be overlooked by occupiers of flats above. However, it is often the case, and therefore expected, that rear gardens are overlooked by neighbours and residents within the same building. As such, I do not consider the lack of privacy would cause significant harm to the living conditions of prospective occupants.
13. It is also common for bathrooms to rely on mechanical rather than natural ventilation and for bedrooms within roof spaces to have rooflights where windows are not possible. Whilst the rooflights in bedroom 2 of flat No 7 would have a limited outlook, they would provide natural light and ventilation. I do not therefore consider the absence of bathroom windows for several of the proposed flats and the use of rooflights in one of the bedrooms would provide sufficient justification for withholding planning permission.
14. All the windows serving flat No 1 on the ground floor would face the front of the property looking out on to the bicycle storage or carparking area, and one bedroom window would be adjacent to the front door. Occupants would be subject to disturbance from cars parking and vehicle deliveries and from other residents entering and leaving the property directly in front of their windows. Such disturbance would cause unacceptable harm to the living conditions of occupiers of that flat. I note that the only window in the bedroom in flat 3 is next to the front door and close to the proposed bin storage area, which according to the Council's Recycling Officer is not sufficient to meet the needs of the proposal. I therefore share the Council's concern that the occupiers of that flat would have their living conditions unacceptably harmed from odours and by noise and disturbance too.
15. I conclude on this main issue that the proposed development would harm the living conditions of occupiers of flats 1 and flat 3, with particular regard to noise and disturbance and, in the case of flat 3, odours and would therefore conflict with Policy EE1 of the (LP) and the Framework which support development that ensures there would be no adverse impact on the amenities of occupiers of the development proposed.

Character and appearance.

16. Hedges behind low front garden boundary walls are a feature of several properties along Manorcrofts Road and contribute to the appearance of the area. The low boundary wall and hedge at the appeal site is less important to the street scene because there are landscaped planters on the pavement in front, and to the side of, the appeal site. One of these contains car parking

bays. These features would be unaffected by the proposed removal of the wall and hedge to make way for bicycle parking. They would continue to partially screen views of the front of the property from the road and lessen the impact of the proposed bin and bike storage units. As such, I am satisfied that the proposed development would not unduly harm the character and appearance of the area.

17.I therefore conclude on this main issue that the proposed development would not conflict with Policy EE1 of the LP and the Framework which supports development that creates attractive places.

Other matters

18.Local representations raised additional concerns relating to the proposed design and parking provision. However, these do not add to my reasons for dismissing the appeal.

19.I have considered all other matters raised in support of the appeal, including the site's proximity to Egham Town Centre, the availability of public transport, improvements to the energy efficiency of the building and the proposed development's contribution to meeting local housing need. However, I do not consider that these benefits outweigh the significant harm that I have identified.

Conclusion

20.For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR