



Appeal Decision

Site visit made on 20 September 2022

by Stewart Glassar BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 OCTOBER 2022

Appeal Ref: APP/Z3635/W/22/3297303

74 Stanley Road, Ashford, TW15 2LQ

- 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 Nathan Ghouri against the decision of Spelthorne Borough Council.
 - The application Ref 21/01117/FUL, dated 7 July 2021, was refused by notice dated 22 October 2021.
 - The development proposed is the creation of new dwelling and associated parking and amenity space.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Nathan Ghouri against Spelthorne Borough Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of future occupiers.

Reasons

Character and Appearance

4. The appeal property forms one half of a pair of semi-detached dwellings. This part of Stanley Road is characterised by similar pairs of semi-detached houses. Whilst some properties have been subject to extension and alteration, the space between buildings and the degree of homogeny in the area, combines to produce a pleasant and spacious character to which the appeal site positively contributes.
5. A previous two storey extension has been approved to the side of No. 74 Stanley Road. It would be stepped back from the front; down from the ridge; and would not be as wide as the main dwelling. In these respects, it would incorporate the broad design principles necessary in ensuring the extension appears subservient to the main building.
6. By virtue of its separate front door, provision of refuse area, parking and separate curtilage, together with the consequential partitioning of the garden of the host property, the proposal which is before me would very clearly be read

within the street scene as a separate dwelling unit. It would not be viewed as an extension to the existing dwelling.

7. Thus, whilst the built form itself would be near identical to that of the previously approved extension, an independent dwelling would appear and function very differently. As a terrace of three dwellings, the proposed dwelling would be noticeably narrower and shorter than the other two in the terrace. Also, No. 74 would have a very obviously constrained front garden, with no space to the side. The somewhat cramped nature of the scheme would be exemplified by the front garden of the new dwelling being largely taken up by parking; and having the parking space serving No. 74 located on the far side of the site, away from the house and separated from it by the parking for the new dwelling.
8. As a result, I conclude that the overall effect would be to present a somewhat contrived development that would be at odds with the establish street scene and pattern of development.
9. On this main issue, I therefore find that the proposal would harm the character and appearance of the area, and so would be contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document 2009 (DPD). This policy seeks, amongst other things, to ensure new development offers a design and layout that respects the character of the area.
10. The proposal would also be contrary to the Council's 'Design of Residential Extensions and New Residential Development' Supplementary Planning Document 2011, which for new residential units seeks to ensure, amongst other things, that sites are laid out and houses proposed which reflect the existing pattern of development and prevailing street scene.

Living Conditions

11. The submitted drawings show the proposed dwelling to have a single bedroom on the first floor. A separate bathroom as well as utility room are also shown at this level. Having a utility room on the first floor is unusual as such a facility would more commonly be located close or adjacent to a kitchen.
12. That a utility room is to be located on the first floor may be a reflection of seeking to accommodate the requirements of a dwelling into a footprint originally conceived as an extension. Nevertheless, it does not seem particularly practical and therefore it is not unreasonable to think that the room might be repurposed at some point in the future.
13. Were this to occur, and the number of bedrooms and level of occupancy were to increase, the proposal would be likely to be deficient in terms of the size of the new bedroom, the garden area, and the building as a whole. Accordingly, whilst the Council's concerns may to some extent be understandable, there is not sufficient substantive evidence to indicate to me that a sub-division would probably take place. I have therefore considered the accommodation on the basis of the layout which is before me.
14. Were I to have found the effect on the character and appearance of the area to be acceptable, then I would have given consideration to possible conditions to control the dwelling, once constructed.

15. However, as a one-bedroom dwelling, the proposal meets the minimum sizes required by the nationally described space standards and therefore I find the proposed living conditions for future occupiers to be acceptable. As such, the proposal complies with Policy EN1 of the DPD which, amongst other things, seeks to ensure the living conditions of residents are protected.

Planning Balance and Conclusion

16. The Council has confirmed that it is unable to demonstrate a 5-year housing land supply. Paragraph 11 (d) of the Framework directs that in such circumstances the policies which are most important for determining the appeal should be considered to be out of date.
17. The Government's objective is to significantly boost the supply of housing. The appeal site would provide an additional dwelling that would accord with the Framework's support for windfall sites. However, whilst a one-bedroom dwelling would no doubt be welcomed by any future owner/occupant, it would make only a small contribution towards the housing supply of the Borough, which is the key measure against which the proposal is assessed in this regard. There would be associated social and economic benefits although some of these would be limited by virtue of time and the scale of the proposal. Overall, and for these reasons, I would attach only a limited amount of weight to these factors.
18. For the reasons given, I have found that the proposal would harm the character and appearance of the area. As such, the proposal would conflict with Paragraph 130 of the Framework which, amongst other things, seeks to ensure that new development is sympathetic to local character. In view of the above and given that the harm I have found would be long lasting, I find it worthy of significant weight.
19. The adverse impacts of allowing the appeal would therefore significantly and demonstrably outweigh the benefits. In these circumstances, the proposal would not therefore be sustainable development for which the presumption in favour applies.
20. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

Stewart Glassar

INSPECTOR