



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: 07 November 2022

Appeal Ref: APP/Z3635/D/22/3301762

74 Park Road, Ashford TW15 1EU

- 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 Michael Utterson against the decision of Spelthorne Borough Council.
 - The application Ref 22/00436/HOU, dated 23 March 2022, was refused by notice dated 27 May 2022.
 - The development proposed is 'Proposed two storey side extension, single storey rear extension, loft conversion and rear dormer'.
-

Decision

1. The appeal is allowed and planning permission is granted for the '*Proposed two storey side extension, single storey rear extension, loft conversion and rear dormer*' at 74 Park Road, Ashford TW15 1EU in accordance with the terms of the application, Ref 22/00436/HOU, dated 23 March 2022, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character of the host dwelling and surrounding area.

Reasons

3. The appeal site is a detached house situated on a corner plot fronting Park Road and flanking Coolgardie Road. Opposite the appeal site is a large, utilitarian school building. The surrounding area predominantly comprises of detached houses in a variety of architectural styles. Although many of the dwellings in the area have been extended to the front, side and or rear, they remain modest in scale and many have simple roof slopes. There is also variety in terms of the size of dwellings. Dormer windows are a prevalent feature of the area, visible on both front and rear elevations within the various street scenes.
4. The appeal proposal would introduce a two-storey side extension, single storey rear extension, loft conversion and rear dormer. The appeal scheme extensions are very similar to extensions subject of an extant planning permission (Council ref. 21/00215/HOU) and as such, the Council's reasons for refusal relate only to the dormer element of the appeal scheme. A previous scheme for a dormer was dismissed by an appeal decision (Ref. APP/Z3635/D/21/3284730) dated 24 January 2022.

5. The appeal scheme was under construction at the time of my site visit; it was nearing completion, although the external facing materials were incomplete. As such, I was able to view the appeal scheme in situ.
6. The extensions are in keeping with the overall scale, design, and proportions of the host dwelling. The extensions are akin to the scale and design of other extensions in the area, and it integrates well with the size of the corner plot and the spatial pattern of the wider area.
7. 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 has introduced a dormer to the centre of the roof, with substantial set-ins from the flanks. However, it does not have a 1 metre set-in from the roof edge and it is not set down from the ridge. Whilst this does not entirely comply with the SPD guidance, the dormer is of a modest scale and has a clearly subservient appearance to the host dwelling. Its tile hung sides and simple design further integrate it into the roof of the host dwelling and it does not appear disproportionate or unduly dominant or prominent.
8. There are many dormers in the area which are visible within the street scene, both on front and rear roof slopes. Many such also do not have such a set-in and have a similar design to the appeal scheme. Indeed, the neighbouring property has a very similar dormer which is also visible within Coolgardie Road. As such, the appeal scheme does not appear out of keeping with the character of the area and is not unduly prominent despite its siting, due to its context and modest scale.
9. The previous appeal scheme was for a wide dormer which spanned the width of the entire roof slope. This scheme also proposed hip to gable extensions and featured large areas of fenestration and contrasting materials. The effect of the dismissed appeal scheme on the character and appearance of the host dwelling and the surrounding area would have been substantially different to the current appeal scheme.
10. For these reasons, the appeal scheme complies 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

11. The Council has requested a total of four planning conditions; that the development permitted shall be begun within three years, that the materials used in construction shall match the existing materials, that the development shall be carried out in accordance with the approved plans, and that there shall be no further window openings.
12. Given that the development has already commenced, I consider the standard time limit condition to be redundant and unnecessary. The approved plans for the appeal scheme clearly show that the external facing materials will contrast with the host dwelling and will successfully articulate the appeal scheme; a

condition requiring the materials to match would not reflect the approved scheme and would erode its detailed design. As the external facing materials are clearly shown on the approved plans, I consider a condition requiring compliance with the approved plans will sufficiently ensure that the appeal scheme is finished in a manner which is sympathetic with the character of the area.

13. A condition which prevents additional window or door openings would be reasonable and necessary to protect the amenity of occupants of nearby properties and to ensure the quality of design of the scheme is not eroded, especially by increased fenestration of the dormer.

Conclusion

14. 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 approved shall be carried out in accordance with the following approved plans; Site Location Plan & Block Plan 200-01, Proposed Floor Plans 200-03 Rev B, and Proposed Elevations 200-04 Rev B.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or dormer windows shall be constructed other than those expressly authorised by this permission.