

Appeal Decision

Site visit made on 16 December 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2023

Appeal A: Ref: APP/Z3635/D/22/3304576

22 Windmill Terrace, Walton Bridge Road, Shepperton TW17 8ND

- 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 & Mrs A Fasolino against the decision of Spelthorne Borough Council.
 - The application, Ref. 22/00796/HOU, dated 6 June 2022 was refused by notice dated 1 August 2022.
 - The development proposed is the erection of a two storey front and side extension and a part single / part two storey rear extension.
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Appeal B: Ref: APP/Z3635/D/22/3312587

22 Windmill Terrace, Walton Bridge Road, Shepperton TW17 8ND

- 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 & Mrs A Fasolino against the decision of Spelthorne Borough Council.
 - The application, Ref. 22/01107/HOU, dated 8 August 2022 was refused by notice dated 30 September 2022.
 - The development proposed is the erection of a single storey front extension, a two storey side extension and a part single part two storey rear extension (following refusal of planning application 22/00796/HOU).
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Decision

1. Appeals A and B are dismissed.

Main Issue

2. The main issue in both appeals is the effect of the proposed development on the character and appearance of the host dwelling, the pair with No. 21 and the Walton Bridge Road street scene.

Reasons

Character and Appearance

3. The appeal dwelling together with the attached No. 21 is a building at the end of Windmill Terrace, a row of semi-detached pairs on the south west side of Walton Bridge Road. I saw on my visit that in this row the house frontages to Walton Bridge Road are for the most part open. And although some of the dwellings have had front porches and single storey rear extensions added, the
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line of 22 houses in 11 pairs provides a uniformity of design and appearance that draws the eye as being distinctive and pleasing in the street scene.

4. I have noted the argument for the appellants that the locality has a mixed character but nonetheless take the view that the row is an 'enclave' with its own character and identity. In this way, although No. 22 is the last dwelling in the row on the corner with Bishop Duppas Park, it does not at all read with the front gabled houses on the other side of the junction.
5. I also acknowledge the appellants' view that the houses are of a simple utilitarian design and that the symmetry is no more than a product of mirroring the other half of the pair. Nonetheless, I remain of the opinion that individually and collectively the houses display a visual coherence that warrants a constraint on alterations and additions. Furthermore, No. 22 is particularly open to public view, with its front, flank and rear elevations all easily visible at close quarters.

Appeal A

6. With all this in mind I agree with the Council's assessment that the two storey front and side extension would (i) be disproportionately large; (ii) have a significant and adverse impact on the host dwelling; (iii) unbalance the pair, and (iv) be detrimental to the street scene in this part of Walton Bridge Road. On the other hand, despite prominence from Bishop Duppas Park I see no problem with the proposed single storey rear extension.

Appeal B

7. The application in Appeal B was submitted in response to the refused application in Appeal A. The revised scheme would essentially retain the ground floor additions in Appeal A, but remove the projecting first floor element at the front. The proposed first floor bedroom at the side of the dwelling with a modest projection at the rear would be retained as in the first application.
8. Although single storey and to that extent a more discreet addition, the proposed front extension in combination with the two storey side addition retained from the previous scheme would in my view fail to resolve the objections to the original proposal in Appeal A.
9. As such, it would also have the disadvantages (i) – (iv) as set out in paragraph 6 above and in my assessment these are sufficient to justify the Council's refusal of permission.

Other Matter

10. In the intervening period between the Council's refusal of the application in Appeal B, and the lodging of this appeal on 6 December 2022, the Council has in response to an application by the appellants issued a Certificate of Lawful Proposed Use or Development (dated 30 November 2022). This confirms that a full height and width rear dormer and a hip to gable roof extension can be constructed at the property under the auspices of permitted development under the GPDO. The Certificate has been put forward as a 'fallback' position for the appellant as an alternative to the appeal application if this appeal is dismissed.
11. I acknowledge that this roof extension together with other possible ground floor side and rear extensions also under the GPDO would have their drawbacks,

including the side gable unbalancing the existing symmetry of the pair. However, in their own way the hip to gable addition and the rear dormer (albeit oversized in terms of the building's aesthetics) do have some design logic in that they would add a visual 'full stop' at this end of the terrace.

12. Moreover, one of the main factors in my decisions on these appeals has been the need to maintain the beneficial effect of Windmill Terrace in its existing form on the character and appearance of the Walton Bridge Road street scene. And in my view the fallback development would be more successful in this objective than either Appeal A or B.
13. The Householder Procedure in this appeal has precluded the Council giving their view on the merits or otherwise of the fallback in the context of these appeals. In the event that the Council indicates agreement with the appellants' position there is the opportunity for the re-submission of one or both of the refused applications.

Conclusion

14. I conclude that the proposed development in both Appeals A and B would have an unacceptably adverse effect on the character and appearance of the host dwelling, the pair with No. 21 and the street scene. The proposals would therefore be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009; the Council's Residential Design Guidance SPD 2011 and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021.
15. The appeals are accordingly dismissed.

Martin Andrews

INSPECTOR