

Appeal Decision

Site visit made on 15 December 2002

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 Ref: APP/Z3635/D/22/3297553

10 Hawkewood Road, Sunbury-on-Thames TW16 6HH

- 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 K Serdet against the decision of Spelthorne Borough Council.
 - The application, Ref. 21/01956/HOU, dated 23 December 2021 was refused by notice dated 17 February 2022.
 - The development proposed is the erection of a two-storey side extension with the incorporation of a front facing dormer and the erection of a single storey rear extension. The erection of a single storey front extension to form a porch. Proposed extension to the existing rear facing dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the two-storey side and part single storey rear extension on the character and appearance of the area.

Reasons

3. I saw on my visit that the appeal dwelling is a detached property at a bend in Hawkewood Road. When combined with the open and spacious character of the area, this results in the building being particularly prominent. This applies to views of its front elevation from Green Street; of the flank elevation from Vereker Drive and the amenity open space, and of the rear elevation in the approach along Hawkewood Road.
 4. This prominence of three of the dwelling's four elevations combines with the modest size of the rear garden (due to the presence of the detached garage and the house being set well back in its plot) to create a significant constraint for alterations and additions without causing harm to the character and appearance of both the property itself and its setting.
 5. It is against this constraint that the appeal scheme proposes significant alterations to the dwelling. These include a wrap-around extension including a two storey addition to the side. I recognise that the proposal follows the standard design feature of a setdown and setback for this two storey addition to achieve the appropriate subordination to the host dwelling.
 6. However, in my view the construction of the two storey extension to within less than 2m of the boundary wall for a depth approaching 6m (and including the
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rear single storey addition an overall depth not too far short of 9m) would result in the dwelling being noticeably cramped on this part of the site. The change from the house's existing setback flank elevation aligning with the front building of No. 12 Hawkewood Road to such a small gap to the pavement would result in the development becoming a jarring and obtrusive feature in the street scene.

7. The harmful impact would be most noticeable in the approach along Hawkewood Road towards Green Street, but because of No. 10's prominence referred to in paragraphs 3 and 4 above, I also consider that the extended dwelling would be perceived as a harmfully congested development from a number of other vantage points.
8. I note that the Council has some other reservations in respect of the proposal including the dormers, but it is the loss of openness at the side of the dwelling that I consider to be the determining factor in this appeal. I have had regard to all the other planning matters raised on behalf of the appellant, but my overall finding is that the development in the form, and of the scale, proposed would have an unacceptably harmful effect on the character and appearance of the area.

Other Matter

9. The grounds of appeal refer to the proposed alterations and additions being needed to facilitate life time care for a family member and I have taken this into account. However, the Government's Planning Practice Guidance advises that *'Planning permission usually runs with the land and it is rarely appropriate to provide otherwise'*.
10. In order for me to have made such a rare exception in this case, there are two factors and both would need to apply. Firstly there would have to have been no other option to provide the care needed. On the assumption that amendments to the scheme to satisfy the Council are not feasible, then despite the inconvenience it is possible for the appellant to move to larger accommodation that could be adapted as required. And whilst there is a cost implication in this, the appeal scheme itself is a substantial building project with associated financial implications.
11. Secondly, the merits of the opposing arguments by the Council and the appellant pertaining to the application would have to have been more finely balanced. I acknowledge that the grounds of appeal have put forward a thorough and professional argument in favour of the appeal being allowed and I have given the points made careful consideration. I have given particular attention to the dozen or so assertions that the proposed development complies with Government policy in the National Planning Policy Framework 2021 ('the Framework').
12. However, whilst in my view some of these can reasonably be regarded as being to some degree supportive for the appellant's case, others cannot. It is not necessary in this Decision letter for me to analyse these arguments individually. Nevertheless, from all that I have seen and read, my overall planning judgement is that the two storey side extension and its combination with the single storey rear extension would draw the eye as a demonstrably harmful addition to a building in a prominent part of the streetscene. This would have

(to all intents and purposes) a permanently adverse effect on the character and appearance of the area and noticed daily by residents and visitors.

Conclusion

13. The proposed development would conflict with Policy EN1 of the 'Spelthorne Core Strategy and Policies DPD' 2009; the Council's Residential Extensions and New Residential Development SPD 2011, and Section 12: 'Achieving Well-Designed Places' of the Framework. As regards Policy EN1 I consider that in this case the application of criterion a) clearly outweighs criterion c).
14. For the reasons explained, the appeal is dismissed.

Martin Andrews

INSPECTOR