



Appeal Decision

Site visit made on 14 December 2022

by A. Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2023

Appeal Ref: APP/Q3630/W/22/3293377

15 Corrie Road, Addlestone KT15 2HU

- 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 Kevin Leahy of HCM Architecture Ltd against the decision of Runnymede Borough Council.
 - The application Ref RU.21/0390, dated 21 February 2021, was refused by notice dated 17 November 2021.
 - The development proposed is the demolition of existing outbuildings and garage and erection of new dwelling with new boundaries to subdivide the existing plot from 15 Corrie Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development would provide for a suitable living environment for future occupiers, with particular regard to internal space standards, external garden space and outlook; and
 - whether the proposed development would comply with local and national planning policy with regard to flood risk.

Reasons

Character and appearance

3. The appeal site comprises an existing bungalow (15 Corrie Road) within a garden plot. It is situated on the junction of Corrie Road with Joinville Place. At the time of my visit, a garage and large single-storey outbuilding containing a disused swimming pool occupied the end of the rear garden. Properties within the surrounding area are varied in their scale, period and appearance. These largely comprise a mixture of bungalows, two-storey houses and small flatted developments.
4. The proposed development would include the demolition of the existing outbuilding and garage and the erection of a new dwelling. The dwelling would front Joinville Place. Accommodation would be provided over three floors, including a lower ground floor level through the use of the existing

- subterranean swimming pool basin. The existing vehicular access would be maintained, providing an off-road parking space for the proposed dwelling.
5. The proposed dwelling would be highly visible from Joinville Place, from parts of Corrie Road and from the multiple private vantage points of neighbouring properties. The footprint of the proposed dwelling would be less than that of the existing outbuildings and the use of materials would assimilate to an acceptable standard with the surrounding area. Notwithstanding this, the layout of the surrounding area is one in which individual properties generally sit within reasonably sized garden plots or form part of larger developments with communal space around them. The siting of the proposed dwelling within an established rear garden, when taken together with its scale and massing, would fail to reflect this prevailing layout and grain of the surrounding area. As such, it would be viewed as an overly conspicuous and therefore unacceptable addition to the street scene.
 6. In reaching the above findings, I acknowledge that a large outbuilding and garage already exist in the approximate position of the proposed development. However, these are reasonably discrete, formed of a single storey and positioned behind a high boundary wall. Whilst visible, the existing outbuildings appear as an ancillary and subservient building to No 15. In contrast, the siting of the proposed dwelling, fronting Joinville Place, combined with its two-storey design plus basement with a steeply pitched roof, would appear cramped and awkward in this garden setting. It would appear discordant and out of keeping with the established pattern of development in this part of Addlestone.
 7. I note the appellant's comments in respect of improvements to the visual appearance of the street and natural surveillance by the part removal of the existing wall and security shutter and its replacement with simple hedge defence lines. However, the existing boundary features are reasonably typical of a garden site or the rear of dwellings and those benefits would not outweigh the harm identified above.
 8. Consequently, I conclude that the scale, massing and siting of the proposed development would harm the character and appearance of the area, contrary to the relevant provisions of Policy EE1 of the Runnymede 2030 Local Plan (LP, 2020) which, in summary, seeks to promote high quality design in development, including paying particular attention to layout and detailing. This is in a similar vein to the objectives of the National Planning Policy Framework (the Framework) insofar as it seeks well-designed places and, amongst other things, requires developments to add to the overall quality of the area, be sympathetic to local character and maintain a strong sense of place.

Standard of accommodation for future occupiers

9. The submitted drawings indicate a 3-bedroom dwelling accommodated over three floors. LP Policy SL19 requires that 3-bedroom 4 person dwellings over three storeys should measure at least 90sqm.
10. The Council sets out that the proposed development provides under 90sqm, the minimum requirement for 3-bedroom 4 person accommodation. The appellant contends that over 90sqm of floorspace is proposed and submits drawings with measurement comments attached. Nevertheless, the irregular shape of some of the rooms and the level of detail provided within the submitted plans do not offer the necessary certainty to enable me to reach a

definitive view as to whether the floorspace to be provided would meet the threshold of 90sqm or otherwise.

11. I note the appellant's offer of amending the drawings to enlarge the upper floor within the existing footprint and the comment in respect of the cost of construction as a self-funded development. However, an appeal should not be used to evolve a scheme and I therefore determine this appeal on the basis of the application upon which the Council made its decision.
12. In respect of outlook, the dwelling would be served by rear facing windows to the living room and kitchen area, looking out onto the subterranean and terraced garden area. In many cases, bedroom windows would be angled, limiting outlook.
13. Whilst the ground floor bedroom windows in the elevation facing the substation would not be angled, the distance between these and adjoining boundary treatment to the substation would provide limited meaningful outlook. Moreover, outlook here would be compromised by the proposed parking area. Although a parked car in this location would not entirely block outlook for these rooms, it would nevertheless create an unpleasant, cramped environment for occupiers. Irrespective of the use of these rooms as bedrooms, which in any case would be regarded as a habitable room, the overall level of outlook would be substandard. Consequently, occupiers would likely experience an unacceptable sense of enclosure as a result of the layout of the dwelling.
14. Private amenity space is proposed largely to the rear of the dwelling. It would be part terraced, accessed from the lower ground floor level and rising up to ground level. Whilst the amenity space would be fairly limited in size, it would be useable and, due to its position to the rear of the dwelling, would be suitably private. From that perspective, the proposed private amenity space would be satisfactory.
15. In conclusion, although I find the proposed private amenity space for the dwelling to be satisfactory, the living environment for future occupants would be unacceptable in terms of outlook and, based on the evidence before me, I cannot be certain that the size of the units would adequately meet the requirements for minimum internal space standards for new dwellings. As such, the proposed development would be contrary to the relevant provisions of LP Policy EE1 and SL19, which when taken together seek to ensure no adverse impact on the amenities of occupiers of the development proposed and expect minimum gross internal floor areas and storage space in new developments. This is in a similar vein to the design objectives of the Framework.

Flood risk

16. The site is located within Flood Zone 2, an area with a medium probability of flooding. Both LP Policy and the Framework seek to direct development away from areas at risk of flooding.
17. The appeal scheme is supported by a Flood Risk Assessment, setting out the forms of flooding considered, mitigation measures proposed and detail in respect of increased site flood water volume through the reduction in footprint. A sequential test is also submitted. This test is necessary to determine whether any other sites would be available to meet the need for development of this nature, outside of the areas most at risk of flooding.

18. The submitted sequential test states that a search has been carried out of development land within the immediate area that would provide a similar opportunity. It sets out one identified site with planning permission for a 6-bedroom property, which was discounted, although provides limited detail of this. The sequential test concludes that no suitable sites are available.
19. The Runnymede Strategic Flood Risk Assessment (SFRA) sets out that it will usually be expected that an applicant will apply the sequential test over the whole of the Local Authority area. It is recognised, however, that the area of search may be reduced where justified by the functional requirements of the development or relevant objectives in the Local Plan.
20. Nevertheless, I have no substantive information before me which convincingly demonstrates the extent to which other potential and reasonably available sites have been explored, their level of flood risk or other constraints. In reaching the above view, I have taken into account that the locality is a relatively high value area and that the appellant has indicated the intention to provide the land free of charge to assist the provision of new accommodation for family members. However, there is no substantive evidence to demonstrate that the appellant's intentions and locational preferences in those respects justify the limitation on the area of search applied when seeking to demonstrate compliance with the sequential test in this case. In such circumstances, I cannot find that all other potentially available, and less harmful alternative options in flood risk terms have been reasonably explored, and therefore the requirements of the sequential test have not been met.
21. Planning Practice Guidance sets out that even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing flood risk elsewhere, the sequential test still needs to be satisfied. The proposed dwelling, in Flood Zone 2, is identified as more vulnerable development within the flood risk vulnerability classification and flood zone compatibility, set out in the Framework and the PPG. It would constitute development where an exception test would not be required in this location. However, the PPG is clear in that the table does not show the application of the sequential test which should be applied first to guide development to Flood Zone 1, then Zone 2, and then Zone 3. Even if the FRA were to be found to be acceptable and measures could be secured by way of a planning condition without increasing flood risk elsewhere, such matters do not outweigh the failure of the proposal to meet the requirements of the sequential test.
22. Overall, I conclude that the proposed development has failed to demonstrate that there are no other available sites at a lower risk of flooding, contrary to the relevant provisions of LP Policy EE13. This policy, in summary, seeks to direct development away from areas most at risk of flooding. This is in a similar vein to the objectives of the Framework insofar as flood risk is concerned and the Runnymede SFRA.

Other Matters

23. I have had regard to the comments raised in respect of pre-application advice and the appellant's design response to this. I also note the communication difficulties with the Council during that process. However, previous pre-application advice is not determinative in the assessment of this appeal. In respect of communications between the main parties, evidence suggests an

ongoing dialogue. In any case, this does not lead me to an alternative conclusion on the main issues.

24. The appellant has set out personal circumstances in that the proposed development would allow for the accommodation of family members who are currently in long term rented accommodation. The proposed scheme would also allow for the future support of the appellants by family members who would live adjacent. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. It does not follow from the PSED that the appeal should succeed and wider planning considerations are paramount but nevertheless the particular need for nearby accommodation for the appellant's family is a matter to which I give moderate weight in assessing the proposal.
25. Notwithstanding the above, the proposed development would remain long after the current personal circumstances cease to be relevant. For these reasons, I therefore find that this factor is not sufficient to outweigh the significant harm that would be caused, and which is contrary to the objectives of the development plan and the Framework.
26. I acknowledge the economic, social and environmental benefits of the scheme. This includes providing a contribution to housing supply in the borough through infill development on a windfall site, providing a three-bedroom family dwelling, providing employment during construction and increasing local spend post-occupation. I also acknowledge the energy credentials, the improvements to natural surveillance, landscaping and biodiversity that would come about as a result of the proposed development. However, these benefits, both individually and cumulatively, would inevitably be limited due to the scale and nature of the scheme. The benefits would not, therefore, outweigh the harm that I have identified above and the resulting conflict with the development plan.
27. There is no dispute between the Council and appellant in respect of harm to the living conditions of the occupants of nearby properties, including 17 Corrie Road. I have no reason to disagree with these findings. I also note the letters of support received from neighbouring properties and that the overall amount of private open space would be increased relative to the present situation and some similar developments within Addlestone. I also acknowledge that some other planning policy objectives would be met. Nevertheless, the benefits associated with these matters and the weight to be afforded to letters of support are limited and do not outweigh the harm I have previously identified.
28. I note the appellant's comments that the house would be self-build¹ and that the land would be gifted to a family member to make the dwelling affordable to that household. In that regard, a planning obligation has not been provided to secure the development as affordable housing in perpetuity. Consequently, I can afford little weight to any potential benefits in those respects. As such they do not overcome the harm I have found.

¹ Relevant to LP Policy SL24

Conclusion

29. The conflict with the development plan and the Framework and the associated harm identified are significant and overriding factors. Consequently, the material considerations in this case, including the limited contribution to housing supply and associated benefits previously identified, do not indicate that the application should be determined otherwise than in accordance with the development plan.
30. For the reasons above, having had regard to the development plan as a whole and to all other relevant material considerations, I conclude that the appeal should be dismissed.

A. Price

INSPECTOR