



Appeal Decisions

Site visit made on 24 January 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal A Ref: APP/Q3630/W/22/3303312

Land to the rear of 23 Simplemarsh Road, Addlestone, Surrey KT15 1QH

- 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. Smith against the decision of Runnymede Borough Council.
 - The application Ref RU.22/0422, dated 16 March 2022, was refused by notice dated 26 May 2022.
 - The development proposed is the demolition of existing building and erection of a new two bedroom bungalow.
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Appeal B Ref: APP/Q3630/W/22/3303313

Land to the rear of 23 Simplemarsh Road, Addlestone, Surrey, KT15 1QH

- 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. Smith against the decision of Runnymede Borough Council.
 - The application Ref RU.22/0423, dated 16 March 2022, was refused by notice dated 26 May 2022.
 - The development proposed is the demolition of existing building and erection of a new one bedroom bungalow.
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Decision

1. Appeal A is dismissed. Appeal B is dismissed.

Preliminary Matters

2. As this is a linked appeal, I have dealt with the appeals together as and where appropriate, to avoid duplication.
3. Both appeals have been accompanied by unilateral undertakings to provide appropriate mitigation measures against the likely significant effects of the proposal on the integrity of the Thames Basin Heath Special Protection Area. I address this matter below.

Main Issues

4. The main issues are the effect of the development on a) the character and appearance of the area; and b) the living conditions of future occupiers and those of No.23 Simplemarsh Road.

Reasons

Character and Appearance

5. The appeal site comprises part of the rear garden of an existing detached bungalow situated on the corner of Simplemarsh Road and Bellmarsh Road. The existing bungalow fronts onto Simplemarsh Road, which is characterised by a mix of housing types and designs. Houses in the immediate vicinity are primarily detached although there are four blocks of linked dwellings to the east of the site. Nonetheless, the setback position of properties from their site frontages gives the road a spacious character.
6. The appeal site itself fronts onto Bellmarsh Road, which serves a small cul-de-sac of bungalows. Whilst set close to each other, these bungalows are also set back from their site frontages and largely hidden from wider views from Simplemarsh Road, adding to the spacious character of the area. The rear gardens of Nos. 23 and 25 Simplemarsh Road, which run along either side of Bellmarsh Road, also contribute to the openness of the immediate vicinity.
7. A bungalow on the appeal site would reflect the type of property at Nos. 23 and 25 Simplemarsh Road and those in Bellmarsh Road. However, due to the width of the existing garden serving No.23, in both cases the front of the proposed building would be positioned noticeably closer to its new site frontage onto Bellmarsh Road, than the other properties in the cul-de-sac or on Simplemarsh Road. Owing to the limited size of available plot, the dwelling would be very close to its rear boundary, which it would share with No.21 Simplemarsh Road. In the case of Appeal B, the dwelling would additionally be set close to the boundary with No.23.
8. For both schemes, the garden would also be set to the side which I find is not characteristic of other properties in the area and which emphasises the shallowness of the plot. As a result of all of the above and acknowledging that other properties in the area do extend across the full width of their plots, the proposed bungalow would appear cramped and squeezed when compared to neighbouring properties.
9. Both appeal schemes would also substantially reduce the garden of No.23, an open area that I have noted positively contributes to the character and appearance of the area. Consequently, I consider the introduction of either new bungalow into the undeveloped rear garden would detrimentally erode the spacious character of the area.
10. The Council has not objected to the principle of such developments and acknowledges that what is described as 'second tier' development has taken place in the vicinity of the appeal site. Indeed, Bellmarsh Road itself appears to be such a development. Other sites were drawn to my attention such as Chapelfields, which I saw was almost opposite the appeal site and where new housing has been developed on what was no doubt previously garden land. I also viewed infill sites on School Lane.
11. Whilst these developments are an acknowledgement as to the evolving pattern and character of development in the area, they appear to assimilate acceptably and do not, based on what I have seen, harm the character and appearance of the area in the same way the appeal proposals would. They do not therefore lead me to allowing the appeals.

12. I find that, in each case, the proposal would cause significant harm to the character and appearance of the area. Accordingly, the proposals are contrary to Policy EE1 of the Runnymede Local Plan 2020 (Local Plan) which, amongst other things, expects developments to respond to the local context and make a positive contribution to the borough's townscape. The proposal would also be contrary to Paragraph 130 of the National Planning Policy Framework (the Framework), which amongst other things, seeks to ensure developments are sympathetic to local character.

Living Conditions

13. For Appeal A, the gap between the northern elevation of the proposed bungalow and boundary with the host property would be used for car parking. Given that this gap would be some 2.45m in width, any car being parked would inevitably be very close to the bedroom window on the north facing elevation.
14. It is likely that the means of enclosure along the boundary with the host dwelling would need to be of a reasonable height in order to avoid overlooking from windows in the host property or its garden. This could be controlled by condition. However, as a result, the outlook from the bedroom on the north elevation would be either directly onto a parked car or the boundary enclosure some 2.45m away. Either option would inevitably offer quite a poor outlook.
15. The proposed bungalow for Appeal B would be sited closer to the boundary with the host property, but only a bathroom window would face out towards it. There would not therefore be the same concerns regarding outlook.
16. In both cases the rear elevation would be sited close to the boundary with No.21 Simplemarsh Road. Both schemes avoid having significant window openings on the rear elevation. Only a bathroom window would be on the rear elevation of Appeal A and although a kitchen window would be facing towards the boundary in Appeal B, the kitchen/living area would also be served by openings on the southern and western elevations. Collectively, these would ensure reasonable levels of outlook and natural light to this internal space.
17. I have not been provided with any evidence to indicate the Council has particular space or size requirements for garden areas. The garden area serving the proposed bungalow would be modest in size but of regular shape. It would appear to be sufficient to accommodate most outdoor needs for the likely number of future occupiers. Whilst the dwelling for Appeal A could accommodate a small family, the space does not appear to me to be so small as to be unusable for such occupation.
18. Whilst No.23 is a larger dwelling than either of those proposed, its garden would also be larger. Whilst it may not be pro-rata larger, it would be a regular shape and the existing patio and grassed areas, would provide a reasonable amount of private garden space for the building's occupants. Therefore, with regard to both appeals, I do not find harm in relation to the living conditions of the occupants of No.23.
19. Whilst I have not found harm in relation to the living conditions of future residents of Appeal B, I have found some small measure of harm in relation to Appeal A. Therefore, whilst Appeal B would accord with Policy EE1 of the Local Plan, insofar as it would not have an adverse effect on the living conditions of future occupiers or neighbours, Appeal A would be contrary to this provision of

Policy EE1 of the Local Plan by virtue of the harm that would be caused to future occupiers.

20. Similarly, in respect of this issue, Appeal B would accord with the provisions of Paragraph 130 of the Framework, which amongst other things, seeks to ensure developments create a high standard of amenity for existing and future users. Conversely, Appeal A would not accord with these provisions.

Other Matters

21. Both new buildings would be finished in materials to match the existing bungalow. This being so, it would not make the schemes acceptable or indeed lessen the harm I have described above. In addition, the appellant has explained that the appeal schemes would not harm the living conditions of the other neighbours, would comply with the Nationally Described Space Standard and not raise a highway objection. Although these were not contentious matters in the appeals, they would in any event amount to a lack of harm and so would not weigh positively in support of the schemes.
22. I note that Appeal B represents a reduced scale of development, designed to address the concerns raised by the two-bedroom dwelling of Appeal A. Whilst the resulting dwelling in Appeal B would have a smaller footprint and slightly lower ridge height, this would not significantly diminish the harm I have identified.
23. There is an existing large outbuilding on the appeal site and a fence extending across part of the site from this building. However, I am satisfied that the appeal site and the outbuilding are sufficiently intimately associated with No.23 that they could be considered to form 'part and parcel' of its curtilage. For each appeal, the outbuilding would be demolished and the proposed bungalow would function independently of No.23. The new bungalow's prominence, position, height and size in both schemes would ensure that it would very clearly be read within the street scene as being a separate unit, with separate curtilage and entrance. In neither case would they be viewed as an incidental or ancillary building to No.23. As such, neither the existing outbuilding nor the fencing would lead me to allowing the appeals.
24. I have no evidence before me to suggest that the erection of a much larger outbuilding, constructed under permitted development rights is anything more than a theoretical possibility. Furthermore, and for similar reasons as to those outlined above in relation to the existing outbuilding, I do not consider this to be directly comparable to the appeal schemes before me. Therefore, the weight I could attach to this matter would be limited.
25. The proposal would have a likely significant effect on the Thames Basin Heath Special Protection Area (SPA). In combination with other development in the area, an additional dwelling within 5 km of the SPA would be liable to have a detrimental impact due to recreational disturbance. The appellant has submitted unilateral undertakings in support of both schemes designed to secure payment towards the Strategic Access Mitigation and Monitoring Strategy and provision of Suitable Alternative Natural Greenspace.
26. If the appeals were to be allowed I would need to return to this matter to undertake Appropriate Assessments. However, even were I to find that the

proposals were acceptable in respect of the SPA, such an outcome would be neutral in my determination of the cases.

Planning Balance and Conclusion

27. Although the Council can demonstrate a 5-year supply of housing land, the Government's objective is to significantly boost the supply of housing and the proposal would provide an additional, modern dwelling well located for local services and facilities. The proposal would also accord with the broad support for windfall sites and would represent an efficient use of previously developed land.
28. Furthermore, there would be some temporary employment benefits during the construction phase and in the longer-term, future residents may make a more general economic contribution towards supporting services in the surrounding area. There would also be some social benefits arising from the proposal. However, collectively the proposals would add only one dwelling to the supply of housing and therefore the associated benefits would be small in scale.
29. In the case of Appeal A, the harm to the living conditions of future residents would be modest. However, the harm to the character and appearance of the area caused by each appeal proposal would be significant and long lasting. It is therefore a matter of considerable importance and so is one to which I attach substantial weight.
30. There would be some beneficial aspects of the schemes. However, I do not find the benefits outweigh the harm caused. Therefore, I find that the appeals conflict with the development plan taken as a whole. There are no other material considerations, including the Framework, that indicate the decisions should be made other than in accordance with the development plan.
31. For all these reasons and having regard to all other matters raised, I conclude that Appeals A and B should be dismissed.

Stewart Glassar

INSPECTOR