
Appeal Decision

Site visit made on 5 April 2023

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/Z3635/D/22/3312972

62 Desford Way, Ashford, Surrey, TW15 3AT

- 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 and Mrs A Devalia against the decision of Spelthorne Borough Council.
 - The application Ref 22/01174/HOU, dated 19 August 2022, was refused by notice dated 11 October 2022.
 - The development proposed is extension with pitched roof extension to existing building.
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Decision

1. The appeal is allowed and planning permission is granted for erection of extension with pitched roof extension to existing building at 62 Desford Way, Ashford, Surrey, TW15 3AT, in accordance with the terms of the application Ref 22/01174/HOU, dated 19 August 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 1684 01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 62 Desford Way.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of residents.

Reasons

3. 62 Desford Way is a two storey semi detached house in an established residential area. It has a conservatory at the rear and a single storey outbuilding at the far end of a long rear garden. At the time of my visit, the outbuilding was clearly in use mainly as household storage.

4. Policy EN1 of the Spelthorne Borough Council Core Strategy and Policies Development Plan Document 2009 is relevant in this case. This requires development to be of a high standard of design to create attractive places, having regard to the characteristics of adjoining buildings and avoiding significant harmful impact on them. The Council also refers to its Supplementary Planning Document *Design of Residential Extensions and New Residential Development* 2011 (the SPD), but this document is not before me.
5. The proposal would double the size of the existing outbuilding, across the width of the end of the garden and introduce a shallow pitched roof. It would not appear out of place in the context of the surroundings where there are numerous examples of large extensions and outbuildings in the rear gardens.
6. The proposed use would be ancillary to the main building, as a home office with an area for accommodation with basic facilities including a shower room and small kitchenette. These would not be sufficient to enable day-to-day living independent of the main house and it is not intended for use as a separate dwelling, but as a means of making the use of the building as a home office at some distance from the facilities in the main house more convenient. The presence of a narrow side passage alongside the house from the front does not necessarily mean that a separate unit would be established. The establishment of such a unit can be controlled by the imposition of a suitable condition restricting the use.
7. It would not have any adverse effect on neighbouring residents in terms of overshadowing or loss of outlook or privacy.
8. I conclude that the proposal would not cause harm to the character and appearance of the area or to the living conditions of existing or future occupiers and that it is consistent with Core Strategy policy EN1.
9. For the reasons given above, the appeal is allowed.

Conditions

10. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plan is necessary to ensure the development is carried out in accordance with the approved plan and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development. The condition restricting the use of the outbuilding to one ancillary to the main house is necessary to prevent its use as a separate dwelling and to safeguard the amenities of neighbouring properties.

PAG Metcalfe

INSPECTOR