



Appeal Decision

Site visit made on 19 April 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th May 2023

Appeal Ref: APP/Z3635/D/23/3315542

91 Maryland Way, Sunbury-on-Thames, Surrey, TW16 6HP

- 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 L Cholewa against the decision of Spelthorne Borough Council.
 - The application Ref 22/01432/HOU, dated 14 October 2022, was refused by notice dated 12 December 2022.
 - The development proposed is the construction of part single, part two-storey rear extension, single-storey front and side extensions, conversion of garage into a habitable space and construction of three number dormers to the front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of part single, part two-storey rear extension, single-storey front and side extensions, conversion of garage into a habitable space and construction of three number dormers to the front roof slope at 91 Maryland Way, Sunbury-on-Thames, Surrey, TW16 6HP in accordance with the terms of the application, Ref 22/01432/HOU, dated 14 October 2022, 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 plans: Location Plan at scale 1:1250 and Drg Nos DOK/22/SLC/01, DOK/22/SLC/02, DOK/22/SLC/03 and DOK/22/SLC/04.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the occupation of the development hereby permitted the first-floor windows on the west and east flank elevations of the rear extension shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level. These windows shall thereafter be permanently retained as installed.
 - 5) No further first-floor openings of any kind shall be formed on the west and east flank elevations of the development hereby permitted without the prior written consent of the local planning authority.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal property is a chalet-style, two-storey dwelling within a residential neighbourhood comprising a mix of dwelling styles, often of repeat design. No 91 is one of many with a distinctive half-hipped roof form and front facing flat-roof dormer, described by the Council as traditional 'Berg' style, so called apparently after the brothers who constructed the estate in the 1950s.
4. The proposal includes a number of elements. The Council has no objection to the proposed alterations to the front, properly recognising that front dormer windows, including alterations I saw to some of the original flat roof designs, are common features in the area, and that the garage conversion and single-storey front infill would follow the form and alignment of the existing roof slope. They also accept that the single-storey side and rear extension would be of an acceptable size and appearance. I have no reason to disagree with the Council's findings on these elements.
5. To the rear, the property has an existing single-storey, flat roof extension across approximately two-thirds of the dwelling's width. The proposal would replace this with a two-storey, 4.9m deep extension across the full width of the property and built with a conventional two-storey eaves height which would run contiguous with the existing eaves line to the side elevations of the building. As a consequence of this, when viewed from the front and along Maryland Way, the distinctive half-hipped roof form and chalet-style of the dwelling would remain intact.
6. The proposal would undeniably create a dwelling of significantly altered form and appearance to the rear, with additional scale and bulk. However, I do not share the Council's view that this would be greater than other chalet-style properties in the immediate vicinity. When stood within the garden of the appeal property I saw two obvious examples where the chalet-style of the rear elevations of Nos 89 (next door to the appeal property) and 97 were lost in favour of noticeably more imposing two-storey additions. The appellants have also directed me to a number of other examples in the wider area where similar original dwellings have been remodelled to the rear in a variety of ways. I note that the Council's *Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011* (SPD) states that the quality of the design of rear extensions is just as important as others, but in this instance the proposal would not be an uncharacteristic change. Moreover, I am satisfied that it would appear as a well-integrated and complementary addition within the rear garden context of its setting. I can therefore detect no conflict with the aims or objectives of the SPD in this regard.
7. The Council is further concerned that the two-storey rear addition would be visible from Maryland Way through the gaps between the neighbouring properties on either side. Whilst this would be so, the scale of the rear extension would only be glimpsed from limited viewpoints, as is the case to varying degrees for other extensions to the rear of some other properties. The circumstances at No 91 are no different to many other examples where

significant changes have occurred to the rear but where the original scale and form of the dwelling has remained dominant within the street scene.

8. Whilst the proposal would noticeably remodel the form of No 91 to the rear, in my judgement it would do so in a manner that would be neither out of keeping with the established pattern of development in the area nor visually harmful. Overall, I am satisfied that there would be no harm to the character or appearance of No 91 or the wider street scene. As such, the proposal would display the high standard of design that is required by Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 and chapter 12 of the National Planning Policy Framework.

Other Matters

9. I have carefully considered the proposal in relation to any impact upon the living conditions of neighbouring occupiers. I note the Council has confirmed that the extensions to the rear of the appeal property would comply with the 45-degree guidelines within the SPD in relation to the window positions at Nos 89 and 93. There is no substantive evidence to support a view that there would be any impact upon levels of light to any neighbouring properties. I agree with the Council that there would be no unacceptable impact upon the amenity of neighbouring and adjoining properties.

Conditions

10. A condition requiring the development to be carried out in accordance with the submitted plans is necessary to provide certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposal is finished with materials to match the existing. I also agree with the Council that, in order to avoid any harm to the living conditions of neighbouring occupiers through overlooking, conditions are required to ensure the proposed first-floor flank windows are fixed shut and obscurely glazed up to an appropriate level and that no further openings at this level are constructed.

Conclusion

11. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR