



Appeal Decision

Site visit made on 1 August 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/Q3630/W/22/3313601

61 Moore Grove Crescent, Egham, Surrey TW20 9RH

- 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 Ms R Lennox and Mr T Lennox of RTL Guys trading as Students on the Green against the decision of Runnymede Borough Council.
 - The application Ref RU.22/1305, dated 15 August 2022, was refused by notice dated 11 November 2022.
 - The development proposed is the demolition of the existing garage and the construction of a new part two storey, part single storey dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing garage and the construction of a new part two storey, part single storey dwellinghouse at 61 Moore Grove Crescent, Egham, Surrey TW20 9RH in accordance with the terms of the application, Ref RU.22/1305, dated 15 August 2022, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have used the description from the original application form as this reflects what was applied for even though it is reflected in the decision notice and appeal form by an alternative description.
3. A revised site plan (drawing no. SP12) was submitted during the consideration of the planning application. This shows additional information on vehicle manoeuvring than on the original site plan (drawing no. SP10). I have limited evidence of consultation on the revised plan, but it does not change the proposal and my consideration of it would not cause prejudice to interested parties. Therefore, I have determined the appeal on the basis of the revised site plan.
4. The plans indicate gravel hardstanding for two cars within the blue line boundary but outside the red line boundary of the appeal site. As these do not form part of the current proposal, I have not taken them into account in my decision on the appeal.
5. One of the reasons for refusal refers to the Surrey Transport Plan 2011-2026 but the Council advises that this document has now been superseded by Local Transport Plan 4 (LTP4) and has provided a weblink to this. However, I do not have any information before me to suggest whether the proposal would comply with LTP4. Given this, I have not had regard to either document in my consideration of the appeal.

Main Issues

6. The main issues are the effect of the proposed development on:

- the character and appearance of the area; and
- highway safety.

Reasons

Character and appearance

7. The appeal site comprises a domestic garage and part of the rear garden associated with the adjacent semi-detached dwelling at 61 Moore Grove Crescent (No 61) within a residential area. There are two other garages and associated driveways to the west, beyond which are the dwellings at 54 and 56 Nobles Way (Nos 54 and 56). The site contains several trees and is accessed from a turning head at the end of a cul-de-sac.
8. The gap immediately to the side of the host dwelling would be retained, albeit that it would be partly used to accommodate car parking. Furthermore, there would be a separation distance of at least 4m between the front of the new structure and the existing house at No 61. Although larger, the new building would replace a garage located on the western boundary of the site and much of the existing boundary fence would be removed or relocated. Due to the maintenance of gaps and given that the proposal would replace some existing built development, it would not cause a harmful erosion in the spaciousness of the plot or appear as a cramped form of development.
9. The proposed house would be smaller than neighbouring properties and be uniquely sited between the semi-detached dwellings facing Moore Grove Crescent and those fronting Nobles Way. Although it would be significantly set back from the building line of No 61 and other houses in this street, its rear elevation would align with the building at No 56. Further, whilst it would introduce a detached property into an area where semi-detached houses are prevalent, it would have a similar roof form and height to the houses in Moore Grove Crescent and also be finished in brickwork and tiles. As such, the building would not be an uncharacteristic form of development or discordant in the streetscene.
10. Consequently, I conclude that the development would not harm the character and appearance of the area. It would comply with Policy EE1 of the Runnymede 2030 Local Plan 2020 (the Local Plan) where it expects development proposals to respond to the local context. Furthermore, it would accord with the Runnymede Design SPD 2021 (the SPD) where it requires design to respond positively to local character. It would also comply with the National Planning Policy Framework (the Framework) which requires development to be sympathetic to local character.

Highway safety

11. The proposal would have two off-street parking spaces accessed via the existing dropped kerb on the turning head and there is no evidence to suggest that this would not be sufficient to meet the needs arising from the development. Whilst only a snapshot in time, there were no vehicles parked in the turning head at my daytime site visit.

12. One of the proposed spaces would be located close to an existing lamppost, creating challenging conditions for accessing and egressing this space, particularly when a vehicle is parked in the other space. There would be a risk that the drivers of vehicles parking in this space would hit and damage the lamppost. Over time, this would reduce the structural integrity of the lamppost, potentially causing the footway to be blocked to the detriment of pedestrians and other vulnerable road users. This risk would be alleviated by a small relocation of the lamppost, and I have imposed a condition requiring this, which the appellant has agreed to. This would also minimise the amount of vehicle manoeuvres needed to access the spaces, ensuring no unacceptable conflicts with vehicles accessing the neighbouring garage and driveway.
13. Overall, I conclude that the development would not harm highway safety. It would comply with Policy SD4 of the Local Plan where it supports development proposals which maintain the safe operation of the highway network, and which take account of the needs of all highway users for safe access and egress. It would also accord with the SPD where it requires parking to be safe and convenient for users and sited to minimise any impact on the safety of the public realm. In addition, it would comply with the Framework which requires development to provide safe and suitable access to the site and minimise the scope for conflicts between pedestrians and vehicles.

Other Matters

14. The development would not have any windows in the flank wall facing the dwelling at No 56 and it would be separated from the neighbouring garden by two garages. Therefore, the proposal would not cause harm to the living conditions of the occupiers of No 56 by reason of overlooking or undue overshadowing.
15. Four small trees would be removed but the distance and orientation of the proposed building relative to the remaining trees should ensure that they do not experience a harmful loss of sunlight. In any event, the Council's Arboricultural Officer considers that the trees are not of a category which should restrict development and that it would be unreasonable to impose a condition requiring their protection.
16. No ecology report has been submitted, but it is suggested that there should be no increase in external artificial lighting as bats are likely to be present and that development activities should avoid the bird nesting season. At the Council's suggestion, I have included a condition to require measures that will improve and enhance biodiversity at the site.

Conditions

17. I have had regard to the Council's suggested conditions and considered them against the statutory tests outlined in the Framework and the advice in the Planning Practice Guidance. I have made minor amendments, where necessary, to ensure that the conditions comply with these documents.
18. In addition to the standard time limit condition (1), I have imposed a condition requiring that the development is carried out in accordance with the approved plans (2). This is in the interest of certainty. A condition relating to external materials (3) is necessary to protect the character and appearance of the area.

19. A pre-commencement condition requiring the provision of a drainage strategy (4) is necessary to prevent an increased risk of groundwater and surface water flooding. The appellant has agreed to this.
20. I have also imposed a condition requiring details of biodiversity measures (5) to enhance biodiversity on the site.
21. A condition requiring the relocation of the lamppost (6) is necessary so the development does not prejudice highway safety nor cause inconvenience to other highway users. Although the Council suggests this as a pre-commencement condition, I have amended the trigger point as it is only necessary prior to the occupation of the development. Further, given that the lamppost is on highway land, it would be unreasonable to impose a requirement for it to be retained and maintained thereafter as suggested by the Council.
22. A condition requiring renewable and low carbon energy measures (7) is necessary to ensure that the development mitigates and adapts to climate change impacts.
23. Conditions requiring the provision of cycle storage (8) and electric vehicle charging points (9) are necessary to encourage active and sustainable travel. The Council suggests that the latter would be justified by Local Plan Policy SD3, but I have been provided with Policy SD7 which justifies their provision.

Conclusion

24. For the reasons given above, I conclude that the proposal would accord with the development plan as a whole and the Framework, and therefore the appeal is allowed.

A Wright BSc (Hons) MRTPI

INSPECTOR

Schedule of 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: 1:1250 scale location plan, AP10, AP11, AP12, AP13, AS10, AS11, BP10, SP01, SP11 and SP12.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be constructed in accordance with the materials as specified within the planning application form and there shall be no variation without the prior approval and agreement in writing of the local planning authority.
- 4) Prior to commencement of the development, excluding demolition and site clearance, details of the drainage strategy, to include hydrological assessments and details of how groundwater and surface water drainage is managed sustainably during and after completion, the potential impact on down gradient properties of any changes to drainage patterns and details of how any such impact will be mitigated, shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained and maintained thereafter.
- 5) Prior to above ground works of the development hereby permitted, full details of the measures to improve and enhance biodiversity at the site shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to the occupation of the development and thereafter retained.
- 6) Notwithstanding the approved plans or any indication given otherwise prior to the occupation of the development hereby permitted, the lamppost currently positioned to the north west of the proposed access shall be relocated in accordance with details to first be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
- 7) Prior to the occupation of the development hereby permitted, full details of the Renewable and Low Carbon Energy measures as stated in the Sustainability Assessment received 01/09/22 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to the occupation of the development and thereafter retained.
- 8) Prior to the occupation of the development hereby permitted, cycle storage shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such storage shall be safe, secure and lit. The development shall be undertaken in accordance with the approved details prior to the occupation of the development and thereafter retained.
- 9) Prior to the occupation of the development hereby permitted, each of the proposed parking spaces shall be provided with a fast charge socket and these shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority (current minimum

requirement: 7kw Mode 3 with Type 2 connector- 230 v AC 32 amp single phase dedicated supply). The development shall be undertaken in accordance with the approved details prior to the occupation of the development and thereafter retained.