

Appeal Decision

Site visit made on 4 September 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 October 2024

Appeal Ref: APP/Z3635/W/24/3340544

Fir Tree Place, Church Road, Ashford, Surrey TW15 2PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Safeland plc against the decision of Spelthorne Borough Council.
 - The application Ref is 23/01536/FUL.
 - The development proposed is the construction of an additional floor to create 7no self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site is located adjacent to the Fir Tree Place highway near the corner of Church Road and Fordbridge Road. It is a large rectangular four-storey building containing commercial units on the ground floor with residential units above.
4. Church Road includes three and four-storey commercial buildings fronting either side of the road. Fordbridge Road is primarily residential with built form being lower in height. A two-storey medical centre is situated to the rear of the appeal site.
5. Whilst paragraph 124(e) of the National Planning Policy Framework (The Framework) supports upward extensions of buildings, it stipulates that additions need to be consistent with the prevailing height and form of neighbouring properties. In this case, the addition of a fifth storey would be notably taller than neighbouring buildings and others in the vicinity. Given the large size of the building and the length of the front elevation facing Church Road, the bulk and mass arising from an additional storey, would appear incongruous in the street scene.
6. Whilst the flat part of the crown roof would not be visible from the street, the additional storey would be prominent when viewed from the nearby junction. In this context, the proposed addition would appear imposing compared to the lower height buildings to the rear of the appeal site and

those on the opposite side of Church Road. In addition, the design of the rear and eastern elevation with its stepped lower ridge would be visible from the street and would appear as an awkward and discordant roof form in this setting.

7. The proposed development would disrupt the rhythm of the relatively consistent heights of the buildings on the southern side of church Road, despite the buildings being separated by the Church Road, Fordbridge Road junction.
8. Reference is made to nearby Insignia Court which has five storeys, but this is a much smaller building than the appeal site. Its design and form are not comparable to the appeal scheme.
9. My attention has also been drawn to the new development at 40 Church Road. This appears to be a large mixed-use development and whilst it is taller than neighbouring buildings, one side is separated by a road. In addition, the nature of the development, and context of the site, is very different to the appeal scheme. This site has been comprehensively redeveloped incorporating a public square and it is not positioned on a prominent corner plot joining two classified roads. As such the context of the two sites are very different.
10. Reference is made to paragraph 124(d) of the Framework which promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. Equally, the Framework makes it clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The scheme would fail this fundamental aim.
11. For the reasons identified above, I conclude that the proposed development would result in harm to the character and appearance of the site and the surrounding area. The proposed development is therefore contrary to Policy EN1 of the Spelthorne Core Strategy and Policies DPD¹, the Framework and the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development². The objective of these policies and guidance is for development to make a positive contribution to the street scene and character of the area.

Planning Balance and Conclusion

12. The proposal would cause harm to the character and appearance of the site and the surrounding area. This harm brings the scheme into conflict with the development plan taken as a whole.
13. The proposal would deliver seven additional dwellings in the Borough. These would make a modest but useful contribution as indicated by paragraph 70 of the Framework, particularly given that the Council concedes it is unable to demonstrate a five-year supply of deliverable housing sites. Furthermore, the Council's latest Housing Delivery Test Results show that only 68 percent of the homes required were delivered in the test period. However, due to the small scale of the development, this benefit would be limited.

¹ Adopted 2009

² Adopted April 2011

14. Paragraph 11(d) of the Framework is a relevant consideration as a result of the Council's housing supply and delivery issues. It indicates that in the circumstances of this case permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
15. Taking all of the above into account, I consider that the harm identified in relation to the character and appearance of the site and the surrounding area, significantly and demonstrably outweighs the benefits when assessed against the policies in the Framework when taken as a whole. Consequently, the Framework does not indicate in favour of the proposal.
16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
17. For the reasons given above the appeal should be dismissed.

V Goldberg

INSPECTOR