



Appeal Decision

Site visit made on 29 November 2024 by R Parker BSc (Hons)

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal Ref: APP/Z3635/D/24/3350262

25 Garden Close, Ashford, Surrey TW15 1LH

- 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 Mr A Singh against the decision of Spelthorne Borough Council.
 - The application Ref is 24/00656/HOU.
 - The development proposed is described as 'Erection of a two-storey side extension and single storey front extension (following demolition of garage and store).'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey side extension and single storey front extension (following demolition of garage and store) at 25 Garden Close, Ashford, Surrey TW15 1LH in accordance with the terms of the application, Ref 24/00656/HOU, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no A24-34-01.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have taken the description of development from the appeal form, which more accurately describes the proposal under consideration.
4. The Council considered the single storey front extension element of the proposal to be acceptable. Based on the main issues in the appeal, I have no reason to form a different view. This recommendation therefore focuses on the two-storey side extension element of the proposed development.

Main Issues

5. The main issues in this case are:

- The effect of the proposed development on the character and appearance of the host dwelling and surrounding area.
- The effect of the proposed development on the living conditions of the occupants of 23 Garden Close, with regard to light and outlook.

Reasons for the Recommendation

Character and Appearance

6. The appeal property is one half of a two storey semi-detached pair of dwellings in an area of unrhythmic streetscape, where houses show diverse architectural detailing while having a similar form and height. This includes some examples of semi-detached pairs where one side has been extended in a similar manner to the appeal proposal. In other cases, both sides have been extended, but in either case the majority of such schemes are integrated designs – that is, flush with the front elevation and the ridge line.
7. Although the appeal proposal would lead to an unbalancing of the semi-detached pair, this would not appear detrimental to the street scene due to its diverse nature and lack of a clear rhythm. The integrated nature of the design and the matching of roof form and materials would maintain the established appearance of the host property and of others in the vicinity which have been extended in a similar manner. Conversely, subordination via a set back at the front elevation or step down of the roof would create a somewhat discordant appearance which would detract further from the current degree of limited cohesion.
8. I acknowledge that there would be conflict with the Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011 (SPD), which states that an extension should normally be subordinate to the main dwelling by virtue of an appropriate set back of 1m from the front building line and set in of 1m from the side boundary. This is, however, in order to avoid a 'terracing effect'. Given the separation that would be maintained and the staggered building line of the appeal property and the adjacent property at 23 Garden Close (no 23), a 'terracing effect' would not occur.
9. As outlined above, the design of the appeal proposal would not harm the character and appearance of the host property or its surrounding area. Therefore, it accords with Policy EN1 (Design of New Development) of the Spelthorne Borough Council Core Strategy and Policies Development Plan Document (2009) (CSAP), which seeks to protect the street scene and character of an area, with due regard to factors such as scale, height, building lines and materials.

Living Conditions

10. The appeal property and no 23 Garden Close are neighbouring semi-detached properties with a reasonable gap between, which would be retained. The appeal property is set back further from the road than no 23, and generally to its south. The areas of no 23 which are relevant in relation to the appeal proposal are its kitchen and garden.
11. The proposal's relationship with the rear elevation of no 23 would breach the 45-degree vertical guide as outlined in the SPD. However, the SPD states that in instances of a staggered property line, 'any potential loss of daylight will be limited

and compliance with the guide may be less critical'. In this case, depending on the time of year, the existing property already obstructs some light to the rear of no 23 by virtue of their relative positioning. Only a small portion of the proposed extension would breach the vertical 45-degree line, and the consequent shading of the garden and its patio area would not be significant. Furthermore, the window from which the measurement is taken serves the kitchen at no 23, which has a second window beyond the area affected by the proposal. I was able to view the location of the proposed development from within no 23 on my site visit.

12. As above, due to the staggered positioning of no 23 and the appeal property, a change in outlook at no 23 would occur as a result of the proposal. However, this would be mediated by the proposal's set-in from the boundary, and by the proportion of the proposed scheme which would extend beyond the rear elevation of no 23, which would be less than half of its overall depth. A view of the side wall of the extension from the kitchen at no 23 would be possible, but limited, further reducing the likelihood of any resulting harm.
13. Due to the factors described above, the appeal proposal would not harmfully detract from the living conditions of the occupants of 23 Garden Close, with regard to light or outlook. Therefore, the proposed development complies with Policy EN1 of the CSAP, which requires the avoidance of harm in relation to loss of light and outlook.

Conditions

14. In addition to the standard time limit for commencement of the development, I have attached a condition requiring the development to accord with the approved plans. These conditions are in the interest of expediency and certainty, respectively.
15. In the interests of the character and appearance of the host dwelling and the surrounding area, I have imposed a condition requiring the use of materials to match those of the existing dwelling.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

R. Parker

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

A M Nilsson

INSPECTOR