



Appeal Decision

Site visit made on 15 July 2025

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/Z3635/W/25/3362241

29 Scotts Avenue, Sunbury-on-Thames, SURREY TW16 7HY

- 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 Gursurat Singh Brar against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01474/FUL.
 - The development proposed is the construction of a 2 bed bungalow to the rear of the existing house, together with parking and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of proposed development from the planning application form although I note it is expressed differently on other documents.

Main Issues

3. The main issues raised by this appeal are the effect of the proposed development on: -
 - a) The character and appearance of the area; and
 - b) The living conditions of existing and future occupiers.

Reasons

Character and appearance

4. The development in the area is characterised, in the main, by dwellings that front onto highways and that have long rear gardens. This defines the urban grain of the area that gives this locality a sense of place and distinctiveness. Placing a dwelling behind existing residential development would be out of keeping with the distinctive character of the area. The new and retained plots would not reflect that of the grain of the area. Further to this, the overall size of the proposed dwelling and its close proximity to the boundaries of the site would create a development of constrained appearance.
5. It is contended that spaciousness is not a characteristic of the area. However, I saw that to the rear of the existing dwellings the gardens provide an openness due to their largely undeveloped character. As such, the rear gardens contribute to the spacious character of the rear of properties. The site forms part of this spacious

character and, as such, makes a contribution to the character and appearance of the area.

6. A dwelling in this location would be harmful to the established pattern of development in the area. It would have a cramped appearance and would diminish the pleasing spacious qualities that currently exist within the existing development within the area. The visual harm arising from the proposed development would be clearly visible in the outlook of neighbouring occupiers. The proposal would be both physically and visually harmful to the character and appearance of the area and would undermine the local distinctiveness of the area.
7. There are outbuildings at the bottom of the rear gardens of Nos.27 and 31 Scott Avenue. Even if of large size the outbuildings are ancillary to the existing residential use of those neighbouring properties and are, therefore, of a different nature to that of a new dwelling located at the rear of the garden. The existence of outbuildings close by holds little weight in favour of the proposal.
8. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore conflict with Policy EN1 of the Spelthorne Borough Council's Core Strategy and Policies Development Plan Document, Supplementary Planning Document (SPD) Design of Residential Extensions and New Residential Development and the provisions of the National Planning Policy Framework (Framework). That policy and SPD seek, amongst other matters, new development to be of a high standard in terms of design and layout and to create buildings and places that are attractive with their own distinct identity as well as respecting and making a positive contribution to the character of the immediate area.
9. The appellant contends that policies of the existing plan should carry very limited weight as they should be considered to be out of date. The Framework requires the creation of high quality buildings and places with new developments being visually attractive as a result of good architecture, layout and to be sympathetic to local character, including the surrounding built environment. Policy EN1 reflects the objectives of the Framework and should thus be given significant weight for this reason.

Living conditions

10. The occupiers of neighbouring properties should reasonably expect to enjoy acceptable living conditions as part of their residential lives. I acknowledge that motor vehicles would already pass by the existing side window at No.27 Scotts Avenue and there would be some noise experienced by the occupiers of No.27 as a result of accessing the existing garage and use of the driveway. Nonetheless, the use of the existing driveway along with its extension deeper into the site with related comings and goings of vehicles, as well as the general day-to-day activity at a new dwelling, would lead to additional noise and disturbance to existing neighbouring properties. This would undermine the adjoining occupiers living conditions.
11. The rear outdoor living space associated with the proposed dwelling would not meet the Council's SPD design guidance with regard to length requirements. This would create a poor outlook from the bedrooms given the restricted garden depth. Furthermore, there are outbuildings at the end of the neighbouring gardens either

site of the site. These outbuildings are within extremely close proximity to the rear garden of the proposed dwelling. This would enclose the garden at either side. This, along with the extremely small size of the rear garden, would not create an acceptable outdoor living space for the future occupiers of the proposed dwelling. The large public open space of Alexander Park to the rear of the site would not overcome these concerns.

12. For these reasons, I conclude that the proposed development would be harmful to the living conditions of existing and future occupiers. The proposal would, therefore conflict with Policy EN1 of the Spelthorne Borough Council's Core Strategy and Policies Development Plan Document, SPD Design of Residential Extensions and New Residential Development and the provisions of the Framework. That policy and SPD seek, amongst other matters, development to achieve a satisfactory relationship with adjoining properties. The objectives of the Framework require a good standard of amenity for all existing and future occupants of land and building. Policy EN1 reflects the objectives of the Framework and should be given significant weight for this reason.

Other Matters

13. The Local Planning Authority has gone into considerable detail with regard to its position in relation to housing land supply. The outcome of this is that current decisions on planning applications for housing development need to be considered against paragraph 11d) of the Framework.
14. The proposal would boost the supply of housing and could provide an affordable home. Small sites such as this contribute to housing land supply and can be delivered quickly. However, even if the housing shortfall is substantial, the benefits associated with a single dwelling would be small. Also any economic benefits during construction would be temporary and limited.
15. The adverse impact of the proposed development on the character and appearance of the area and living conditions attracts substantial weight and therefore significantly and demonstrably outweighs the benefits when assessed against the policies of the Framework when taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

16. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR