
Appeal Decision

Site visit made on 17 February 2026

by **A James BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 April 2026

Appeal Ref: APP/Z3635/W/25/3374854

245 Upper Halliford Road, Shepperton, Surrey TW17 8ST

- 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 Daniel Moore (AXMO NORTH LIMITED) against the decision of Spelthorne Borough Council.
 - The application Ref is 25/00919/FUL.
 - The development proposed is a loft conversion with a rear dormer and a single storey rear extension to allow for the subdivision of the existing dwelling to create 2No. flats with associated refuse/recycling/cycle storage.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with a rear dormer and a single storey rear extension to allow for the subdivision of the existing dwelling to create 2No. flats with associated refuse/recycling/cycle storage at 245 Upper Halliford Road, Shepperton, Surrey TW17 8ST in accordance with the terms of the application, Ref 25/00919/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. When visiting the site, I could see that alterations to the roofs and works to extend the rear were being undertaken. However, I cannot be sure that these works related to the appeal and therefore I have assessed the appeal on the plans that are before me.
3. Since the appeal was lodged the Council adopted the Spelthorne Local Plan 2024-2039/40 (LP) on 17 March 2026. The policies in the LP supersede policies from the Spelthorne Core Strategy and policy Development Plan Document (adopted 26 February 2009), which were included in the Council's decision notice. I am required to determine the appeal against the development plan in place at the time of my decision, which I have done.

Main Issue

4. The main issues are: -
 - the effect of the proposed development on the character and appearance of the area.
 - if there are any policy conflicts or harm in respect of the above matters, whether there are other considerations that may be sufficient to outweigh any adverse effects.

Reasons

Character and appearance

5. Upper Halliford Road features a varied residential character, including detached and semi-detached bungalows alongside two-storey terraced dwellings. The semi-detached bungalows typically feature hipped roofs, which create a sense of balance between the paired dwellings and positively contribute to the character and appearance of the area. The dwellings tend to follow a similar building line and are set back from the road with a landscaped front garden and parking area. This reinforces the coherent character and appearance of the street.
6. The proposed development would involve erection of a rear dormer and a single storey rear extension to allow for the subdivision of the existing dwelling to create two flats. The proposed roof extension would add significant mass to the roof shape of the host dwelling, but the attached dwelling would remain unchanged. This would unbalance the appearance of the pair of semi-detached bungalows and thus have a harmful impact on the character and appearance of the host dwelling. The scale and positioning of the roof extension would lead to a dominant feature which would appear not harmonious in the roofscape. Thus, the proposed roof extension would look incongruous and have a harmful impact on the street scene. Therefore, it would not comply with the guidance set out in Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
7. The main parties agree that the proposed single storey rear extension would have an acceptable effect on character and appearance of the area. However, this does not negate the harm I have already identified with regards to character and appearance of the host dwelling and street scene.
8. In conclusion, the proposed development would have a harmful impact on the character and appearance of the area. Thus, the proposed development would not comply with the provisions set out in LP policy PS2. Among other things, this policy seeks to protect character and appearance through securing a high standard in the design.

Other considerations

9. The parties have drawn my attention to a Certificate of Proposed Lawfulness (the LDC) pertaining to loft alterations that would include the installation of a rear facing dormer which has been granted. Reviewing the evidence, it appears that the dormer proposed under the LDC is of a very similar form and position to that which is proposed under this appeal. Based on the evidence before me, I am satisfied that there is a greater than a theoretical possibility that the development subject of the LDC might take place.
10. The proposed roof extension under the LDC would undoubtedly unbalance the appearance of the pair of bungalows, a feature which is incongruous relative to the generally consistent roofscape of the street. Therefore, visually there would be very little difference between the scheme under the LDC and the development proposed under this appeal. Consequently, the harm generated by the development granted under the LDC would not be dissimilar to the harm generated by the proposed development under this appeal. Therefore, the fall-back position attracts significant positive weight in favour of the appeal.

Other Matters

11. The proposal would lead to the addition on one additional dwelling to the council housing land supply which I give positive weight.

Planning Balance

12. I have found that the proposed development would be harmful to the character and appearance of the character and appearance of the area and conflict with the development plan. However, the appellant has demonstrated there is a legitimate fall-back position, and this attracts significant positive weight in favour of the appeal. Consequently, I find that the fallback position in this instance provides a compelling reason to outweigh the conflict that I have found with the development plan in terms of the effects of character and appearance.

Conditions

13. I have considered the suggested conditions in light of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG). In the interests of precision and clarity I have undertaken some rationalisation and rewording of the conditions suggested.
14. I have attached the standard time limit condition (1). I have specified the approved plans condition for the avoidance of doubt (2). I have also specified a condition relating to the materials. This is necessary to ensure the external changes are of a satisfactory appearance, in the interests of the character and appearance of the area (3). I have attached a condition with regards to means of enclosure. This is to ensure that boundary treatments are of a satisfactory appearance and to make sure outdoor amenity space is appropriately divided (4).
15. Storage and refuse details have been submitted as part of the original application and the council have not raised any objection to them. It would not be reasonable for the appellant to have to resubmit these details again and therefore I have amended the condition to a compliance condition (5).
16. The council have suggested two conditions with regards to implementing access and parking spaces the PPG finds that conditions should be kept to a minimum and I am not satisfied that it is necessary to have two separate conditions. Therefore, I have merged the two suggested conditions to cover both parking and modified access. I have attached this condition in interests of highway safety and ensuring parking adequate parking (6)
17. While plans show the locations for the electric vehicle charging points, the specifications for the electric charging points have not been submitted. Thus, I have attached a condition to secure electrical charging points in the interest of promoting sustainable modes of transport (7).
18. While plans show the locations for the cycle storage, the specifications for cycle storage areas have not been submitted. Therefore, I have attached a condition in the interest of providing adequate cycle storage facility and make sure that transport modes are available (8).
19. The council has suggested a landscaping scheme condition which requires the scheme to be maintained for five years. The PPG advises that any condition which places an unjustified and disproportionate burden on the appellant will be

unreasonable. The proposed development involves the subdivision of the existing dwelling. Therefore, requiring maintenance for five years would likely place a disproportionate burden on the appellant. Therefore, I am not satisfied that the suggested soft and hard landscaping condition is reasonable.

20. In imposing conditions, I have had regard to the tests within the, the PPG, and relevant statute, and have accordingly amended the wording of certain conditions proposed by the council without altering their overall aim.

Conclusion

21. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal is allowed subject to conditions.

A James

INSPECTOR

Schedule of 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 the following approved plans: PR-L003, PR-L002, PR-P001, PR-P002, PR-P004, PR-E001, PR-E002, PR-E003, PR-E004, PR-S001, PR-S002. PR-V001.
- 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall not be occupied until details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the residential units are occupied. The development shall be carried out in accordance with the approved details and maintained as approved.
- 5) The development hereby permitted shall not be occupied until refuse and recycling storage has been implemented in accordance with the approved plans and retained thereafter.
- 6) The development hereby permitted shall not be occupied until the vehicle access and parking spaces have been constructed in accordance with the approved drawing PR-L002. Thereafter, the access shall be retained, and the parking spaces shall be retained for the parking of vehicles only.
- 7) The development hereby permitted shall not be occupied until specifications of the provision of electric vehicle charging point for each unit have been submitted to and approved in writing by the Local Planning Authority. Prior to occupation, the agreed details shall be fully implemented. Thereafter, the electric vehicle charging point shall be kept available for the charging of vehicles.
- 8) The development hereby permitted shall not be occupied until specifications of the provision of cycle parking facilities for each unit has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved cycle parking facilities shall be provided before first occupation of each dwelling within the site to which it relates and be maintained and retained at all times.