

PLANNING APPEALS

LIST OF APPEALS SUBMITTED BETWEEN 2 NOVEMBER AND 18 DECEMBER 2018

Planning Application Number	Inspector Ref.	Address	Description	Appeal Start Date
18/00472/FUL	APP/Z3635/W/18/3214726	Land to the rear of Grandera House, 61 - 73 Staines Road West. Sunbury On Thames	Erection of a two and three storey development to provide 3 no. two bedroom maisonettes and 2 no. one bedroom maisonettes with associated parking.	23/11/18
18/00625/ADV	APP/Z3635/Z/18/3208274	Two Rivers Retail Park, Mustard Mill Road, Staines-upon-Thames	Application for advertisement consent for the display of 2 no internally illuminated fascia signs to the roof canopy (3.29 x 1.190 x 0.10), 1no internally illuminated sign to the front (0.59 x 0.99 x 0.10), 1no non-illuminated fascia sign on the rear elevation above the roller shutter to the warehouse (0.52 x 2.60) and 2no freestanding partially illuminated signs adjacent to Mustard Mill Road (1.50 x 0.83 x 0.17).	

APPEAL DECISIONS RECEIVED BETWEEN 2 NOVEMBER AND 18 DECEMBER 2018

Site	28 Hadrian Way, Stanwell
Planning Application No.:	18/00804/HOU
Proposed Development:	Erection of part two storey part single storey side and rear extension.
Reasons for Refusal	The proposed two storey side and rear extension, by reason of its design, location and scale would result in an over dominant extension which pays little regard to the host building, it would close gaps between the buildings and would not make a positive contribution to the street

	<p>scene of Hadrian Way contrary to the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and policy EN1 of the Core Strategy and Policies DPD 2009.</p> <p>The proposed development will have a poor relationship with neighbouring properties resulting in a loss of amenity including a loss of light, loss of privacy and being overbearing, contrary to the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and Policy EN1 of the Core Strategy and Policies DPD 2009.</p>
Appeal Reference:	APP/Z3635/D/18/3210997
Appeal Decision Date:	05/12/2018
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector considered the main issues to be the impact on the character and appearance of the area and on the living conditions of neighbours and future occupants of the extension.</p> <p>In terms of design he noted that, the front elevation of the side extension was shown to immediately abut the plot's front boundary and in turn the single-storey side extension to No 30. He noted that, '<i>...The two dwellings would effectively conjoin but in an awkward and unrelated manner. Furthermore, the natural gap between both properties would be lost and each would appear cramped and inharmonious in relation to each other</i>'. He considered that it would, '<i>...fail to sympathetically fit in with the pattern and grain of development within its surroundings</i>.' He also noted that it would fail to display a high standard of design and would neither respect nor contribute positively to the street scene or character of the area contrary to Supplementary Planning Document (SPD) and Policy EN1.</p> <p>In terms of living conditions the Inspector noted that the proposed side extension would obliterate any daylight to the neighbouring properties windows. Also the proposed side extension would have a forward-facing window at ground floor level that would serve a newly created habitable space but there would be no gap between Nos 28 and 30 and therefore no light or outlook from this window. He concluded that this was unneighbourly, resulting in a loss of light to part of the neighbour's property. It would also result in poor living conditions within the extended part of No 28.</p> <p>The proposal would introduce first floor windows at closer quarters to existing ones, facing the rear. These would have the potential to result</p>

	in a greater degree of privacy loss for the occupiers at No 24. The Inspector states that , <i>'the failure to safeguard the existing living conditions of neighbouring occupiers or to provide satisfactory living conditions within No 28 would be further evidence of poor design and conflict with Policy EN1'.</i>
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Site	7 Squires Road, Shepperton
Planning Application No.:	18/00788/HOU
Proposed Development:	Erection of part single, part two storey side/rear extension.
Reason for Refusal	The proposed part single storey part two storey side/rear extension, would by reason of design have an unacceptable impact upon the character of the area and visual amenity, and would be of a scale and size that is over-dominant of the host building. The roof form over the extension would also not 'tie in' and integrate with the roof form over the host dwelling and would have a contrived and awkward relationship with the existing dormer. The proposal would also have a terracing effect upon no.5 Squires Road and would therefore be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
Appeal Reference:	APP/Z3635/D/18/3211326
Appeal Decision Date:	05/12/18
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector identified that the main issue was the effect of the proposal upon the character and appearance of the area.</p> <p>The Inspector noted that the appeal property is a two storey semi-detached dwelling, which has been amended in various ways including the addition of a single storey rear extension and a rear facing dormer. It was also noted that no.5 Squires Road immediately abuts the boundary.</p>

	<p>The Inspector commented that the crown roof over the extension would have an awkward and uncomfortable relationship with the rear dormer and would appear wholly unrelated to the roof form over the main dwelling. When seen as a whole, the extension would not appear integrated or subordinate and would be an obvious and dominant addition that would clearly be distinguishable from the existing dwelling. This would conflict with the Council's SPD on design.</p> <p>The Inspector also commented that the addition would close the obvious gap with no.5 Squires Road, creating an unnatural terrace effect between both buildings. The works would also be visible from the street scene adding to the Inspectors concerns.</p> <p>The Inspectors overall impression was that the proposal would appear as an incongruous and ill-conceived addition that would fail to harmonise with the architecture of the host dwelling. The proposal would therefore conflict with policy EN1 and the appeal was dismissed. However, the Inspector commented that he did not have concerns over the single storey element of the scheme.</p>
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Site	34 Guildford Street, Staines-upon-Thames
Planning Application No.:	17/01758/HOU
Proposed Development:	Construction of a roof extension changing the hipped roof to a gable end, the construction of a rear mansard dormer, the addition of two roof lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey part single storey rear extension.
Reason for Refusal	The proposed roof extension, by reason of its scale, design and location would result in an unacceptable dominant feature of the roof, which would be visually obtrusive and detrimental to the character of the area contrary to policies SP6 and EN1 of the Spelthorne Local Development Framework Core Strategy and Policies Development Plan Document February 2009 and the Supplementary Planning Document Design of Residential Extensions and New Residential Development April 2011.
Appeal Reference:	APP/Z3635/D/18/3198001
Appeal Decision Date:	0612/18
Inspector's Decision	The appeal is dismissed

<p>Inspector's Comments:</p>	<p>The Inspector noted that the proposal would result in alterations to the flank wall and to the existing rear dormer but whilst this would create some space around the dormer, it would be very limited. He therefore considered that the proposal would still result in a dormer which was over dominant and out of proportion with the host property. Moreover he considered that whilst the views of the dormer from Guildford Street are restricted due to the limited gaps between properties, when viewed from the rear gardens of the surrounding properties the dormer would be visually prominent particularly given the relatively unaltered nature of the surrounding roof scape.</p> <p>He noted the comments received with regards to the size of the dormer which could be constructed under permitted development. However the Inspector stated that whilst a Certificate of Lawfulness for a hip to gable roof alteration and rear facing dormer had been granted, it would have required the works to have been completed prior to the implementation of the part single storey part two storey rear extension. As the rear extension has already been built he gave the fact that the Certificate of Lawfulness had been granted very little weight.</p> <p>The Inspector also noted that planning permission 17/01264/HOU had been granted, which incorporates a flat roof dormer. However he observed the differences in design in comparison with current scheme and therefore considered that it was materially different.</p> <p>It was concluded by the Inspector that the alterations to the roof and the rear dormer would result in an extension which would be out of proportion with the host property and the character and appearance of the surrounding area contrary to policies EN1 and SP6 of the Core Strategy DPD and the guidance contained within the SPD.</p>
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<p>Site</p>	<p>Willow Hayne, Pharaohs Island, Shepperton</p>
<p>Planning Application No.:</p>	<p>18/00961/HOU</p>
<p>Proposed Development:</p>	<p>Erection of a two storey side extension and associated veranda.</p>
<p>Reasons for Refusal</p>	<p>The proposed two storey side extension would represent inappropriate development within the Green Belt, and would have a detrimental impact upon the openness. The impact upon openness is by reason of mass, scale and height, would be greater than the Certificate of Lawfulness at the site (16/01977/CPD) and this would not constitute 'very special circumstances' that would clearly outweigh this harm. The proposal is therefore contrary to policy GB1 of the Spelthorne Local Plan 2001</p>

	<p>Saved Policies and Proposals (as updated December 2009), Policy EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009), and the National Planning Policy Framework (July 2018).</p> <p>The proposed two storey side extension would by reason of size, width, height and bulk, have an unacceptable impact upon the character of the area, and the character of the designated Plotlands Area. The scheme would introduce an incongruous, over dominant feature into the landscape contrary to Policies EN1 and EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).</p>
Appeal Reference:	APP/Z3635/D/18/3211066
Appeal Decision Date:	06/12/18
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector identified that the main issues were:</p> <ul style="list-style-type: none"> - Whether the proposal would be inappropriate in the Green Belt with regards to the NPPF and development plan policies. - The effect on the openness of the Green Belt. - The effect on the character and appearance of the area. - If inappropriate development, whether the harms is clearly outweighed by other considerations that amount to very special circumstances. <p>The Inspector noted that the extension would add a wing to one side of the dwelling, with a mansard style roof and eaves slightly higher than the original. It was also noted that the scheme would include a first floor veranda that would project towards the river.</p> <p>The Inspector commented that the extension would more than double the width of the dwelling and the increased floor space would represent a substantial uplift on the original dwelling. The size and bulk of the proposal would noticeably alter and enlarge the appearance and proportions of the original dwelling. The Inspector concluded that the extension was a disproportionate addition over and above the size of the original dwelling and was by definition harmful to the Green Belt. It was also considered that the extension would have harm to the openness of the site contrary to the NPPF and Saved Policy GB1.</p> <p>In terms of the character of the area, the Inspector considered that the side extension would significantly change the proportions and character</p>

	<p>of the existing dwelling. The building would also appear uncharacteristically large against other buildings and would be especially noticeable on views across the river. It was noted the extension would conflict with policy EN2, which deals specifically with Plotland Areas and would also conflict with policy EN1 and the Council's SPD on design as it would not integrate itself positively with the character of the locality.</p> <p>The Inspector acknowledged a Certificate of Lawfulness granted at the site for a number of extensions and outbuildings. The Inspector commented that there was no reason to doubt that some, if not all of the works in the Certificate of Lawfulness would be constructed as a 'fall back' position, although it was considered that the appeal scheme would have a greater impact due to its height mass and visibility.</p> <p>The Inspector concluded on balance that there was insufficient weight to clearly outweigh the harm to the Green Belt and conflict with the development plans. As such no 'very special circumstances' existed and the appeal was dismissed.</p>
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FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officers	Date
18/00733 /TPO	Hearing	3 The Mallards Laleham Staines-upon-Thames	TPO25/STA - G3 - 1x Lime Tree (shown on received plan) - crown branches reduction to 1 metre, and reduce height leaving the tree with a height of at least 10 metres.	Vanya Popova / Stewart Bee	15/01/19
18/00019 /COU	Hearing	Former Nursery Site Rear of 37 – 51 Hithermoor Road, Stanwell Moor	Change of use of site from former nursery site to fencing manufacture and supply business	Paul Tomson	TBC