



Planning Committee

6 January 2021

Planning Appeals Report

List of Appeals Submitted between 01 October 2020 and 09 December 2020

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
20/00640/HOU	APP/Z3635/D/20/3258584	102 Windmill Road, Sunbury on Thames, TW16 7HB		21/10/2020 ¹

¹ This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
20/00544/HOU	APP/Z3635/D/20/3258989	18 Junction Road, Ashford, TW15 1NQ	Erection of side extension with a gable end element that would have a similar height as the bungalow, the erection of a single storey rear extension and loft conversion including the installation of a 2 no rear facing dormers and 5 no rooflights to the front slope to provide additional habitable accommodation (following demolition of existing conservatory and partial demolition of a garage at the rear). Proposed new access via Junction Road.	21/10/2020 ²
20/00690/HOU	APP/Z3635/D/20/3259468	7 Conway Drive, Ashford, TW15 1RQ	Erection of a two storey side and single storey front extension (following demolition of existing garage).	21/10/2020 ³
20/00218/FUL	APP/Z3635/W/20/3261719	The Mill Heathrow, Stanwell, TW19 6BJ		22/10/2020 ⁴

² This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

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Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
19/00063/ENF	APP/Z3635/C/20/3257865	1A Priory Stables, Chertsey Road, Shepperton, TW17 9NU		04/11/2020
20/00591/RVC	APP/Z3635/W/20/3257970	The Boathouse, Sandhills Meadow, Shepperton, TW17 9HY	Variation of condition 9 (relating to the permitted use) of PA ref 04/01184/FUL for the erection of the boat house, to allow up to 20% of the showroom space to be used for the fitting out, storage and sale of camper vans as shown on site location plan received on 29.05.2020.	09/11/2020
20/00350/RVC	APP/Z3635/W/20/3260608	25 Church Street, Staines-upon-Thames, TW18 4EN		10/11/2020
20/00457/HOU	APP/Z3635/W/20/3259643	10 Park Road, Ashford, TW15 1EY	Retention of an outbuilding (retrospective)	10/11/2020

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
19/01651/FUL	APP/Z3635/W/20/3263544	Land To Rear Of 39-51 High Street Stanwell Staines-upon-Thames TW19 7LJ	Erection of a pair of two no. semi-detached dwellings with associated amenity space and parking.	19/11/2020 ⁵
20/00588/HOU	APP/Z3635/D/20/3257786	7 Vereker Drive, Sunbury on Thames, TW16 6HQ	Erection of part two storey part single storey rear extension. partial conversion of garage to habitable space with new roof over and single storey side infill element.	08/12/2020
19/01651/FUL	APP/Z3635/W/20/3263544	33 High Street, Stanwell, TW19 7LJ	Erection of a pair of two no. semi-detached dwellings with associated amenity space and parking.	09/12/2020 ⁶
18/00243/ENF	APP/Z3635/C/18/3218097 APP/Z3635/C/18/3218098	Land known as land lying to the west of Ferry Lane & Land adjacent to Magnolia Ferry Lane, Shepperton,	Without planning permission, the making of a material change of use of the land to a mixed use comprising agriculture, storage of shipping containers, storage of miscellaneous	09/12/2020 ⁷

⁵ This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

⁶ This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

⁷ Appeals withdrawn as 20/01052/CLD granted on 09/12/2020 for Certificate of Lawfulness for the existing use of the site as storage and for the distribution of film and television props for continuous 10 year period.

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
		TW17 9LH	items including wooden barrels and other paraphernalia.	

Appeal Decisions Received 01 October 2020 – 02 December 2020

Site	5 New Park Road, Ashford, TW15 1EG
Planning Application No:	19/01400/FUL
Proposed Development:	The erection of a detached bungalow with habitable accommodation in the roof space, with associated parking and amenity space following subdivision of the plot.
Reasons for Refusal:	The proposed dwelling by reason of design and location, would represent an isolated 'backland' style development that would be out of keeping with the surrounding building pattern and grain of development, and would represent an incongruous feature in the surrounding landscape. It would not pay due regard to the layout and characteristics of adjoining buildings and land and would not be sympathetic to the surrounding built environment. It would also contain a rear dormer that would not be in adherence to the Council's guidelines on well-designed dormers. The proposal would therefore cause harm to the character of the surrounding area and would be contrary to the requirements of policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on Design of Residential Extensions and New Residential Development (2011), and the NPPF 2019.
Appeal Reference:	APP/Z3635/W/19/3243922
Appeal Decision Date:	13/10/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector identified that the main issue was the effect of the proposal upon the character of the area.</p> <p>It was noted that the appeal site comprises various outbuildings behind an existing bungalow. It was also noted that surrounding properties were a mixture of bungalows, semi-detached houses, block of flats and terraced houses. However, the Inspector considered that there was a distinctive pattern of development in the area, with frontage dwellings and gardens or outbuildings/garages to the rear, which are subservient and domestic in scale.</p> <p>The proposed bungalow was considered to be a noticeable bulky feature, with a substantial box like dormer. The Inspector considered that the appeal schemes backland location would be out</p>

	<p>of keeping with the linear pattern of development in the area and the plots layout would be contrived.</p> <p>A backland property was acknowledged at the rear of the site, although planning permission was originally granted for a dwelling at this property in the late 1950s and was not subject to the assessment against current planning policies. It was also acknowledged that dwellings had been granted permission that would form a part of Ostlers Drive, which the Inspector considers is a road with its own identity separate to New Park Road. As such these planning permissions were considered to be materially different to the appeal scheme.</p> <p>The Inspector concluded that the development would harm the character and appearance of the area and would not make a positive contribution to the street scene having regard to scale, height, portions, building lines and layout, conflicting with policy EN1.</p> <p>It was further noted that the Council cannot provide a 5 year housing supply. However, the Inspector considered that one dwelling would have a negligible benefit to boost housing supply, and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as whole. The appeal was therefore dismissed.</p>
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Site	18 Glebe Road, Staines-upon-Thames, TW18 1BX
Planning Application No:	20/00446/HOU
Proposed Development:	The erection of a detached outbuilding.
Reasons for Refusal:	<p>The proposed outbuilding by reason of size, scale, height and siting would be over-dominant within the plot and would be out of keeping with the established surrounding building pattern, where there are no other comparably sized outbuildings. As a result of the proposed scale, the outbuilding not make a positive contribution to the character of the area, or pay due regard to the scale, layout and characteristics of adjoining buildings and land. The outbuilding would also be unsympathetic to the surrounding built environment and local character. As a result of the outbuilding's layout and internal floor area, as well as the garage, and separate vehicular access from the main dwelling, it would also be tantamount to a separate unit of residential accommodation, which would be out of</p>

	<p>out of keeping with the character and size of surrounding plots, and established linear pattern of development with street frontages. The proposal is therefore contrary to the objectives of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) and the NPPF.</p>
Appeal Reference:	APP/Z3635/D/20/3255429
Appeal Decision Date:	14/10/2020
Inspector's Decision	Appeal Allowed
Inspector's Comments:	<p>The Inspector considered that the main issue was the effect of the proposed development upon the character of the area.</p> <p>It was noted that the appeal property was a single storey detached dwelling, which was in the process of being extended. The Inspector commented that surrounding dwellings are set back from the road with relatively large plots. There is also a varied style of dwellings in the locality. It was further noted that there are a number of ancillary outbuildings at the rear of existing properties.</p> <p>The Inspector commented that the proposed outbuilding would be of considerable size, bulk and footprint when compared to the floorspace of the host dwelling and in this respect would not be subordinate. However, the Inspector considered that it would be largely hidden behind the existing dwelling and would not detract from the character of the area through overdominance or obtrusiveness. The Inspector also commented that planning permission had been granted to extend the existing dwelling, which would further screen the outbuilding.</p> <p>It was further considered that the outbuilding would be of good modern design, drawing inspiration from the existing house in terms of its finished materials and external appearance. It was also commented that the dwelling would retain a sizeable garden. The outbuilding whilst relatively large, was not considered to be overly dominant or to introduce a development that would be out of keeping with the area.</p> <p>The Inspector therefore considered that the outbuilding would be in accordance with policy EN1 and the NPPF. It was also commented that the Council's concerns that there was potential for the outbuilding to be used as a separate dwelling, could be assessed in</p>

	<p>a new planning application, as this would require planning permission.</p> <p>The appeal was therefore allowed.</p>
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Site	96 Woodthorpe Road, Ashford, TW15 3JY
Planning Application No:	20/00063/HOU
Proposed Development:	Construction of a vehicle crossover
Reasons for Refusal:	It has not been demonstrated that a vehicle can be safely manoeuvred onto the site, and parked in such a way that it is fully contained within the site and clear of the public highway. This is likely to lead to vehicles parked overhanging the footway, or turning manoeuvres on the public footway, creating conditions prejudicial to the safety of pedestrians, contrary to the objectives of the NPPF and Policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.
Appeal Reference:	APP/Z3635/W/20/3251754
Appeal Decision Date:	19/10/2020
Inspector's Decision	Appeal Allowed
Inspector's Comments:	The Inspector considered that a vehicle could be manoeuvred onto and parked within the frontage of the appeal property without overhanging and having to repeatedly pass over the adjacent pavement, resulting in no harm to pedestrians. The Inspector considered that there would be no conflict with Policy CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009. The Inspector also considered that the proposal would not run counter to the objectives of the National Planning Policy Framework in respect of highway and pedestrian safety. The Inspector did not consider the Council's Policy CC2 material to this appeal.

Site	Land To The Rear Of 55 Squires Bridge Road, Shepperton, TW17 0JZ
Planning Application No:	19/01727/FUL
Proposed Development:	Proposed erection of pair of 2 storey 3 bedroom semi-detached houses
Reasons for Refusal:	<p>Character - The proposal represents an unacceptable overdevelopment of the site by virtue of inadequate amenity space and the front of the site being dominated by hardstanding and parking with insufficient space provided by for landscaping. Furthermore, the proposal would have a harmful impact on no. 53 Squires Bridge Road in terms of overbearing impact and loss of privacy and a poor relationship with new semi-detached dwelling being constructed to the east of the site. The proposal would therefore be out of character with the surrounding area and not make a positive contribution of the street scene. It would provide a poor standard of amenity for the occupiers and a poor relationship with neighbouring properties. The development is therefore contrary to Policy EN1 and of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development April 2011.</p> <p>Tree - The proposed development would have an unacceptable impact to the long term viability of an Oak tree directly adjacent to the site subject to a Tree Preservation Order (TPO 265/2020 - T1). The proposal would therefore be contrary to the objectives of Policy EN7 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009).</p> <p>Highways - The proposal, if permitted, would lead to an increase in vehicular traffic at the junction of Squires Bridge Road (D6272) and Squires Bridge Road (C233), where an insufficient level of visibility can be achieved. Visibility is restricted in the leading traffic direction, and an intensification in use of this junction would lead to conditions prejudicial to highway safety contrary to the objectives of the National Planning Policy Framework (2019), and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.</p>
Appeal Reference:	APP/Z3635/W/20/3250469
Appeal Decision Date:	19/10/2020
Inspector's Decision	Appeal Dismissed

<p>Inspector's Comments:</p>	<p>The two semi-detached dwellings would be built in the rear gardens of 55, 55A and 55b Squires Bridge Road.</p> <p>The Inspector noted that the dwellings would be situated in significantly smaller plots than those of surrounding properties and would be perpendicular to existing properties on Squires Bridge Road. She agreed that this would be at odds with the Council's SPD on the Design of Residential Extensions and New Residential Development 2011 which requires that the orientation of buildings should reflect the existing pattern of development. She also noted that the dwellings would be situated in close proximity to the rear elevations and gardens of neighbouring dwellings resulting in a cramped appearance. Furthermore she noted that the front of the gardens would be dominated by hardstanding and there would be little scope to require soft landscaping. Overall she considered that the proposal would be at odds with the predominant pattern of development; have a poor relationship with surrounding properties; and would detract from the open, spacious and verdant character of the area.</p> <p>With regards to the impact of the proposal on the Oak tree with a Tree Preservation Order located on the boundary of the site, the Inspector agreed that even if it was possible to protect the tree during construction, its long-term health, viability and appearance would be harmed. She concluded that the proposal would have a harmful effect on the health and appearance of the Oak tree which would diminish the contribution which it makes to the character and appearance of the area.</p> <p>With regards to the impact of the proposal on the amenity of future occupants of the dwellings, the Inspector agreed that due to their internal floor space the dwellings would have cramped internal living conditions for future occupiers. She also noted that the proposed dwellings would fall significantly short of the requirements for private garden space against the SPD requirement. She concluded that the proposal provided insufficient private amenity space in terms of both quantity and quality to the detriment of the living conditions of future occupiers.</p> <p>In terms of impact on the amenity of neighbouring properties, the Inspector noted that the upper floor windows of the proposed dwellings would be situated in close proximity to and directly overlook the rear garden of No 53 resulting in a loss of privacy to the occupiers of No 53.</p> <p>Furthermore, she noted that the occupiers of No 55A currently have an outlook over their rear garden to the open space which would be replaced with an outlook onto a blank flank wall in close proximity to the rear garden. She therefore considered that the proposal would, reduce the outlook to the occupiers of No 55A and have an over-bearing effect.</p>
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	<p>With regards to the impact of the proposal on highway safety, the Inspector considered that In the absence of evidence, she was unable to conclude that the proposal would not have a harmful effect on highway safety. She considered that as such the proposal would be contrary to Policy CC2 of the CSP DPD which states that traffic generating development should only be permitted where it is or can be made compatible with the transport infrastructure in the area taking into account of highway safety.</p>
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Site	Land To The Rear Of 32, 34 And 36 Commercial Road, Staines-upon-Thames, TW18 2QL
Planning Application No:	19/00679/PIP
Proposed Development:	Permission in principle for a maximum of 4 dwellings
Reasons for Refusal:	The proposed dwellings would be situated within a 'dry island' and would not provide a dry means of safe access and egress for future occupiers, and would add to the problems of the emergency services during a major floor event, contrary to the objects of policy LO1, of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009).
Appeal Reference:	APP/Z3635/W/19/3242759
Appeal Decision Date:	21/10/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector noted that a Permission in Principle application is the first stage to establish whether a site is suitable for development in principle and is limited to location, land use and amount of development.</p> <p>It was further noted that the appellant has applied for permission in principle for a minimum of 1 and a maximum of 4 dwellings on the site.</p> <p>The Inspector also acknowledged that updated flooding maps were published after the determination of the original planning application</p>

and had shown that the appeal site is located in Flood Zone 2, where it was previously shown to be located in Flood Zone 2 and Flood Zone 3. It was confirmed that the appeal would be determined on the basis of the most relevant and up to date information.

The inspector identified that the main issue in determining whether the appeal site was suitable for housing was having regard for local and national policies relating to development at risk of flooding.

It was noted that the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the areas at highest risk. Where development is necessary in such areas, it must be made safe for its lifetime without increasing flood risk elsewhere.

It was noted that in this instance, the appeal scheme proposed a 'more vulnerable' use in flood zone 2, which is an appropriate use in this flood zone.

The Inspector recognised that the Council's application of policy LO1 will be based upon latest flood risk data from the EA. However, the evidence base for policy LO1 is now out of date given the latest changes to flood maps for Spelthorne. As such, the Inspector was unclear whether land in both Flood Zone 1 and Flood Zone 2 will be required to meet the borough's housing needs. The Inspector therefore considered that the NPPF should be afforded greater weight than policy LO1.

The Inspector noted that a sequential test had not been submitted and considered that a sequential test would go to the heart of the acceptability of the scheme. As such it would not be suitable for this to be submitted at the technical details stage.

In the absence of an up to date sequential test and substantive evidence that the development would not increase elsewhere the Inspector was unable to conclude that the proposed residential use is acceptable in this location. As such the appeal was dismissed.

The Inspector noted that the Council raised concerns over character and the County Highway Authority's raised concerns over access to the site. However, given the Inspector's decision to dismiss the appeal it was not considered necessary to consider this matter any further.

The Inspector also confirmed that given the concerns over flooding, the assumption in favour of sustainable development did not apply in this instance.

Site	Former Garages/Lock-Up Stores Station Approach Sunbury On Thames TW16 6SA
Planning Application No:	19/01077/FUL
Proposed Development:	Erection of 2 no. 2 bed flats over three floors with landscaping following the demolition of the existing 3 no. lock up garage
Reasons for Refusal:	The proposed development by reason of its design scale and siting would represent an overdevelopment of the site which would appear out of character It would have a poor relationship with the neighbouring property and garden at 3 and 4 Bracken Court in regards to loss of light and being overbearing. It would result in the reduction of a valuable natural landscaped area, including the removal of a preserved Horse Chestnut tree (T4), which will not make a positive impact on the street scene contrary to Policies EN1 and EN7 of the Core Strategy and Policies DPD 2009 and Supplementary Planning Document on the Design of New Residential Extension and New Residential Development 2011
Appeal Reference:	APP/Z3635/W/19/3243283
Appeal Decision Date:	26/10/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector considered the main issues to be the effects of the proposal on the character and appearance of the area and the living conditions of the occupiers of neighbouring property, having regard to outlook and light, along with the impact on the TPO trees.</p> <p>He noted that the appeal site comprises three garages and an area of landscaping, with modern neighbouring buildings, with first floor accommodation in the roof. He notes that within the landscaped area, there are trees protected by a TPO, which are part of a line of trees that continues beyond the other side of the site on land between the road and the station.</p> <p>The neighbouring Bracken Court building is low level and set back from the road with intervening landscaping. However the Inspector considered that the proposed development contrasts with this and would be substantial in scale and height, given the second floor would be within a steeply pitched roof with dormers and flat crown</p>

above, and that a significant part of the building would be in close proximity to the road, due to the irregular shaped plot. The garden would be 'noticeably smaller' than that at Bracken Court. He concluded that the proposal would result in an overdevelopment of the site, '*...with a prominent and overly imposing building which would be far more detrimental to the character and appearance of the area.*'

The proposal would also result in the removal of two protected trees. The Inspector noted that the appellant's submitted reports indicate that retention of the tree is possible with some minor crown lifting to improve light penetration to the proposed garden. The Inspector stated however, that the horse chestnut tree has a significant sized canopy which would grow as it has a minimum of 40 years life remaining and to enable satisfactory light into the proposed garden, substantial tree works would be required which he considered would be, '*...detrimental to the public amenity value of the tree.*'

The Inspector noted that although future occupants would be aware of the protected tree, that, '*...circumstances can change, especially when people live in a property, and therefore, this would not prevent requests from future occupiers.*' He goes on to say that although the Council will have formal control over works to the tree, in practice he considered that it is likely to be difficult to resist. Therefore, he concluded that the development would be likely to result in the significant reduction of this tree's amenity value, and possibly its loss. He goes on to note that the tree is attractive due to its height and canopy size and that it, '*...contributes positively, along with the other protected trees, to the sylvan character and appearance of the area,*' and that '*...it visually breaks up the developed environs of the railway station and therefore, its loss would be significant.*'

He concluded that the development would harm the character and appearance of the surrounding area, would not respect and make a positive contribution to the street scene and character of the area, having regard to scale, height, proportions, building lines and layouts. In addition he noted that it would result in the significant reduction of a protected tree's amenity value, contrary to Policies EN1 and EN7.

Despite the position of the proposed residential building conflicting with the recommended separation distances between dwellings as set out in the SPD, given the fact that the building would be sited behind the remaining single storey garage and drive serving the neighbouring property, the Inspector did not consider that there would be a significant loss of outlook to the occupiers of neighbouring properties. The appellants submission of a day light sunlight survey demonstrated that the loss of sunlight to the garden would not be significant.

	<p>The Inspector went on to note that in this type of location with good access to facilities and services, the living conditions of future residents would not be adversely affected through having private outdoor space smaller than the minimum set out in the SPD and the living conditions of future residents would not be harmed by noise and disturbance.</p> <p>When looking at the Development Plan Balance, the Inspector noted that the proposal would boost housing supply in a location with very good access to facilities and services, including public transport. He goes on to note that the NPPF indicates design is a key aspect of sustainable development, <i>'...however the unattractive and unsympathetic nature of the development would harm the character and appearance of the area and this would be significant, permanent and long-term.'</i> In addition he considered that two dwellings would only have a small benefit in boosting housing supply.</p> <p>Therefore, he concluded that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p>
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Site	10 Station Approach, Ashford, TW15 2QN
Planning Application No:	19/01529/FUL
Proposed Development:	Construction of a third floor to create 1 no. flat within a mansard roof and other associated alterations (including alterations to fenestration and addition of parapet wall at second floor).
Reasons for Refusal:	The proposed new roof design would, by virtue of its scale, bulk and position appear visually obtrusive and out of character with the area and would fail to make a positive contribution to the street scene, contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009) and the Supplementary Planning Document for the Design of Residential Extensions and New Residential Development (April 2011).
Appeal Reference:	APP/Z3635/W/20/3253447
Appeal Decision Date:	27/10/2020

Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The appeal property comprises a ground floor commercial unit with 4 flats over the first and second floors. It is sited on a prominent corner plot. The building has recently been extended upwards in the form of a mansard roof to provide residential accommodation. It is now proposed to further raise the height of the mansard and include an additional run of dormer windows to provide one additional unit.</p> <p>The Inspector stated that the proposal would result in a "somewhat top-heavy building as the 'roof' element would be out of proportion with the overall scale of the building". She considered that it would have 'an incongruous appearance'.</p> <p>The Inspector noted the surrounding area is characterised by buildings of a variety of design, scale and massing. However she commented that whilst there are examples of mansard roofs alongside and opposite across Woodthorpe Road, they are of traditional mansard roof types containing one row of dormer windows in a single level. At predominantly 3 storeys, these buildings do not have the overall height and bulk of the host building with the proposed extended roof. She concluded that proposal would result in a development that would not conform to the local aesthetic and form.</p> <p>Furthermore, she stated that buildings in prominent corner locations are important for creating recognisable and legible places and that new development should make a positive contribution to the street scene. She concluded that the appeal proposal would not do so.</p>

Site	26 Preston Road, Shepperton, TW17 0BG
Planning Application No:	20/00527/HOU
Proposed Development:	Conversion of existing garage and outbuilding into an annex with associated alterations.
Reasons for Refusal:	The proposed conversion and alterations to the existing outbuilding by reason of physical separation from the main dwelling house, layout, size, and provision of facilities to enable independent day to day living, and independent access from the main dwelling, would be tantamount to a separate self-contained unit of accommodation. A single storey, isolated 'backland' style flat roofed dwelling, would

	<p>be out of keeping with the clear and defined pattern, layout and characteristics of adjoining buildings and land. It would also not be sympathetic to the surrounding local character and built environment. The proposal would therefore contrary to the objectives of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2011) and the NPPF (February 2019).</p>
Appeal Reference:	APP/Z3635/W/20/3256622
Appeal Decision Date:	30/10/2020
Inspector's Decision	Appeal Allowed
Inspector's Comments:	<p>The Inspector identified that the main issues were i) whether the proposal would be tantamount to a self-contained residential unit, and ii) if so, its effect on the character and appearance of the area.</p> <p>The Inspector noted that the appeal site is an outbuilding and garage to the rear of the main house, which is no longer readily accessible by car. The Inspector also commented that the existing outbuilding almost fills the full width of the garden.</p> <p>The Inspector commented that the proposal would replace the existing single structure with an outbuilding that would have the same relationship with the main house, including a lack of any intervening screening and no changes to the access arrangements.</p> <p>The Inspector considered that there was no convincing evidence to suggest that the appeal scheme was tantamount to a self-contained residential unit. The Council's concerns regarding facilities were noted. However, the Inspector considered that the annex and the main house would be so closely related, with no functioning way of providing a separate access, that it was not considered that the annex could practically function as a separate self-contained unit.</p> <p>The Inspector noted that the Councils' concerns over the impact upon the character of the area solely related to the use of the annex as a separate self-contained unit. As the annex was not considered to be self-contained, it was considered that there would be an acceptable impact upon character. The appeal scheme was therefore found to be in accordance with policy EN1 and the appeal was allowed.</p>

Site	21 Gaston Bridge Road, Shepperton, TW17 8HH
Planning Application No:	20/00436/HOU
Proposed Development:	Erection of a part single storey, part two storey side and rear extension and single storey front extension
Reasons for Refusal:	The proposed two storey side extension would by reason of projection to the northern boundary have an unacceptable terracing effect upon no.23 Gaston Bridge Road, and would be out of keeping with the character of surrounding properties and the clearly defined gaps between dwellings. The extension would also have an overbearing impact upon the occupiers of no.23 Gaston Bridge Road, contrary to the objectives of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2011) and the NPPF (February 2019).
Appeal Reference:	APP/Z3635/D/20/3257460
Appeal Decision Date:	02/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector identified that the main issues were the effect of the proposal upon i) the character and appearance of the area and ii) the living conditions of the occupiers of no.23 Gaston Bridge Road with specific regard to any overbearing effect.</p> <p>The Inspector noted that the appeal site contains a detached two storey house, with an existing single storey flat roofed garage to the boundary of no.23 Gaston Bridge Road. It was further noted that the form and scale of the dwelling is consistent with many of its neighbours. It was also noted that the appeal site and its neighbours are somewhat open to view.</p> <p>The Inspector commented that given the consistent form and rhythm to the street provided by the layout and design of the houses, the appeal proposal would appear to close the gap to no.23 causing a terracing effect between the two properties. This would be heightened by the curve in the road and the staggered relationship of the site to its neighbours.</p>

	<p>The Inspector concluded that the proposal would cause harm to the character of the area, giving rise to a terracing effect contrary to policy EN1 and the Council's SPD on design.</p> <p>In regards to the effect upon the neighbouring property, the Inspector commented that the appeal proposal would increase the projection of the boundary wall forwards and backwards relative to neighbouring windows in a substantial manner. Given the orientation of the properties, and the overall increase in bulk and scale of the appeal site, the scheme was considered to result in an unacceptable overbearing impact and tunneling effect to the neighbouring windows.</p> <p>The proposal as therefore considered to be contrary to policy EN1 and the appeal was dismissed.</p>
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Site	19 Shortwood Avenue, Staines-upon-Thames, TW18 4JN
Planning Application No:	20/00330/HOU
Proposed Development:	Roof alterations to include a hip to gable extension, the installation of a rear dormer window and two roof lights to the front roof slope (As shown on plans: 19SA/04122017/REV-C-1/2 and 19SA/04122017/REV-C-2/2 received 27.03.2020)
Reasons for Refusal:	The proposed development would by reason of its scale, location and design, have an unacceptable impact on the character of the area and the symmetry with No 17 Shortwood Avenue. Furthermore, the development is considered to be unacceptably bulky and over-dominant. The proposal is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/D/20/3256884
Appeal Decision Date:	03/11/2020
Inspector's Decision	Appeal Allowed
Inspector's Comments:	The Inspector states whilst the appeal development is clearly large, and does add bulk to the site they do not consider that it is so large to cause the harm to the character and appearance of the area.

	Furthermore, the fallback position set out above and the relatively limited visibility from the front provides a significant impact on the decision.
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Site	35 High Street, Stanwell, TW19 7LJ
Planning Application No:	18/01729/FUL
Proposed Development:	Erection of 2no 2 bedroom semi-detached houses together with associated parking following demolition of existing building.
Reasons for Refusal:	<p>The proposed development as a result of its location, with only one access to the site, results in a requirement for those without a vehicle to use a 19m long substandard vehicular access, with no pedestrian facilities. This is considered to represent an unnecessary conflict. A similar situation would arise for cyclists. The cumulative effect of this development combined with the other development site and other plots that may be brought forward in the future, would result in an unacceptable access arrangement that would be potentially dangerous for pedestrians and cyclists alike. The proposal is thereby contrary to Policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p> <p>The proposal by virtue of its location, layout and design provides inadequate waste and recycling facilities on site and availability of a safe area for collection and is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009.</p>
Appeal Reference:	APP/Z3635/W/20/3255055
Appeal Decision Date:	04/11/2020
Inspector's Decision	Appeal Allowed
Inspector's Comments:	<p>The Inspector considered that the main issues in the appeal were highway safety and the adequacy of waste and recycling facilities and collection.</p> <p>In terms of highway safety, the Inspector noted that the access was narrow and is unlikely to allow cyclists, pedestrians and cars to pass each other while travelling in opposite directions. However, the</p>

	<p>Inspector considered that as there was sufficient visibility for users of the access to view each other, for cars to wait at the High Street end of the access without blocking traffic and the lack of any objection from the County Highways Authority, the proposal would not have an adverse impact upon highway safety.</p> <p>The Inspector noted that refuse vehicles would not be able to access the site and therefore the refuse bins would need to be wheeled to be closer to the highway and subsequently returned, which was less than ideal. However, on the basis that this once a week and that this already occurring for an adjoining site, the Inspector concluded that adequate provision for waste and recycling was provided.</p> <p>The Inspector did not consider that any harm would arise from the cumulative impact of the piecemeal development of the site; that no harm would result on the amenity of neighbouring properties; that there were no ground stability or surface water concerns. Legal rights of way issues raised by third parties are not planning matters.</p> <p>Therefore, the Inspector concluded that the proposal would not have a significant effect upon highway safety and provided adequate refuse facilities and complies with Policy EN1 of the Core Strategy and Policies DPD 2009, the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 and the National Planning Policy Framework (the Framework).</p>
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Site	1 Everest Road, Stanwell, TW19 7EA
Planning Application No:	19/01024/HOU
Proposed Development:	Erection of a part single storey, part two storey, front side and rear extension, including the installation of an additional dormer and roof light in the roof space
Reasons for Refusal:	The proposed two storey side and rear extension by reason of depth, scale and design, would be overly-dominant and not subordinate and subservient to the host dwelling, and would have an unacceptable impact upon the character of the area and the character of the host dwelling. The rear facing dormer would by reason of size, scale and detailed design, have an unacceptable impact and would be over-dominant and out of proportion within the roof form and would not be in adherence to the Council's guidance upon dormer design. The cumulative impact of the proposed dormer and two storey side and rear extension is therefore be

	contrary to Policy EN1, of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009), the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011) and the NPPF.
Appeal Reference:	APP/Z3635/D/19/3243479
Appeal Decision Date:	09/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector identified that the main issue surrounding the appeal proposal was the impact of the proposal upon the character of the host dwelling and the character of the area.</p> <p>It was noted that the appeal site was a two-storey, semi-detached dwelling with a single storey detached garage to the side of the driveway, to the front of the property. It was also noted that the property benefits from a 6 metre single storey rear extension and a rear facing dormer, which were both constructed through permitted development and/or prior approval notification.</p> <p>The Inspector commented that as the first floor side extension would not be set back from the front elevation, it would unbalance the pair of semi-detached dwellings it forms a part of.</p> <p>It was noted the extension would incorporate a rear dormer that would not meet any of the dimension guidelines set out in the Council's SPD. The cumulative impact with the existing dormer, was considered to result in an incongruous, overly dominant feature in the rear of the property, in which the original roof would be completely lost visually.</p> <p>The Inspector considered that the second storey rear extension would have an awkward design that would not relate well to the existing dormer. It was also considered to have been designed in a contrived manner, which does not relate well to the host property.</p> <p>The cumulative impact of the proposal was considered to completely engulf the host dwelling resulting in an unacceptable impact upon its character. Given the relatively open views of the site from the street scene the proposal was also considered to have an unacceptable impact upon the character of the area.</p> <p>It was noted that other extensions were brought tot the Inspectors attention, although it was commented that each case is considered</p>

	<p>on its own merits and limited weight was given to the various examples.</p> <p>The volume of neighbouring support was also acknowledged, although as the development was found to be contrary to policy this was given limited weight. The Inspector concluded that the appeal should be dismissed.</p>
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Site	28 Hadrian Way, Stanwell, TW19 7HF
Planning Application No:	19/01364/FUL
Proposed Development:	Erection of an outbuilding (retrospective) as shown on plan no. site location plan, existing block plan, proposed block plan, existing layout and proposed layout received on 10.10.2019
Reasons for Refusal:	The outbuilding by reason to its design, scale and location would be tantamount to a separate means of accommodation that would be out of character with the surrounding area and provide a poor standard of amenity for future occupiers. In addition the outbuilding is considered to have an unacceptable impact on the amenity of neighbouring properties and in particular a significant overbearing impact on the amenity of the occupiers of No. 24 Hadrian Way to the detriment of the enjoyment of their garden. The proposal would conflict with Policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011
Appeal Reference:	APP/Z3635/D/20/3245935
Appeal Decision Date:	20/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector considered that the main issues are i) the impact of the proposal upon the character of the surrounding area ii) the impact of the proposal upon the amenity of future occupiers and whether the proposal would be tantamount to a separate means of accommodation and iii) the impact of the proposal upon the amenity of neighbouring occupiers.</p> <p>The Inspector noted that the appeal site is a semi-detached residential dwelling which stands at a right angle to the properties to the North and South. The proposal occupies the full length of the</p>

	<p>Southern boundary of the appeal site. The building is visible in views from the open green space to the South West but, given its orientation, did not find it particularly notable from the public domain as the scale is not particularly evident in views from this angle.</p> <p>He noted that the design is not out of keeping with other structures in the area, and goes onto define 'Character' by a number of factors including layout and spacing. He noted that the scale of the structure results in a large area of the appeal site being covered in built form which, in turn, results in a smaller garden than those characteristically found within the surrounding area.. But due to generally limited public views, he did not find the scale of the proposal to impact on the appearance of the area to an extent which would warrant refusal, but he did consider the proposal overdevelops the site to the detriment of the character of the surrounding area contrary to Policy EN1.</p> <p>The Inspector note that the proposal would not provide a poor standard of living for future occupiers given it is proposed as an outbuilding to an existing residential dwelling. Whilst he acknowledged the Council's concerns about the proposal being tantamount to a separate means of accommodation, which could be accessed around the side of the house, this could be overcome with the application of a condition.</p> <p>In regards to the impact upon the amenity of neighbouring properties, he notes that from no. 24, next door the ground level stands at a lower land level than the appeal site and that it projects above the existing wall and is on the boundary. He continues that the overall height, location on the boundary itself and differing site levels results in a prominent, overbearing, structure which extends along the entire boundary with no. 24, which will result in an unacceptable impact upon the amenity of the occupiers of no. 24 to the detriment of the enjoyment of their garden.</p> <p>The Inspector concludes that No. 28 already benefits from extensions and permitted development is not a genuine, fallback in this instance and can be attributed little weight. The proposal dismissed and would be contrary to Policy EN1 and SPD.</p> <p>Officer Note: This application is retrospective and an enforcement appeal has already been determined at the site. As such, the subject outbuilding must now be removed from site.</p>
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Site	305-307 Feltham Hill Road, Ashford, TW15 1LT
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Planning Application No:	19/01570/FUL
Proposed Development:	The erection of 3x2 bedroom terraced dwellings and 2x2 bedroom detached dwellings with associated parking and amenity space following demolition of existing dwellings
Reasons for Refusal:	<p>The proposed development by reason of location, layout and design, would have an unacceptable impact upon the character of the area, the surrounding street scene and pattern of development. The scheme would introduce two isolated 'backland' style dwellings with no street frontage. As a result the development would not pay due regard to the characteristics of adjoining buildings and land and would not be sympathetic to the local character and surrounding built environment. The layout of the development would also result in poor functionality in terms of refuse collection, and landscaping would not be provided to the front of the dwellings labelled 'H3' and 'H5'. The access road would also have a detrimental impact upon the occupiers of no.309 Feltham Hill Road. The proposal is therefore contrary to the objectives of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) and the NPPF.</p>
Appeal Reference:	APP/Z3635/W/20/3249419
Appeal Decision Date:	23/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector considered that there were two main issues surrounding the appeal proposal i) the impact upon the character and appearance of the area ii) the living conditions of the occupiers of neighbouring properties.</p> <p>The Inspector noted that the site was in a residential area and that the scheme proposed 3 terraced dwellings at the front of the site and 2 detached dwellings at the rear within the current gardens. It was further noted that a new access would be constructed adjacent to the shared boundary with 309 Feltham Hill Road and 1A Goffs Road.</p> <p>The Inspector acknowledged that are examples of backland dwellings in close proximity to the site. However, Chalet Close has the character of dwellings fronting a cul-de-sac and the dwellings at 70 Junction Road involved the redevelopment of a previously developed site, namely a church hall. As there are backland</p>

	<p>dwelling in the area, the Inspector considered that the proposed dwelling at the rear of the site would respect the character of the area in principle.</p> <p>However, the Inspector considered that the design and layout of the proposed development would not be the type of high quality and layout sought by the NPPF. There would be a poor relationship between study windows serving 3 of the dwellings and the proposed parking areas. There would also be a poor level of outlook and parking and maneuvering areas would exceed 50% of the width of the frontage at two of the plots.</p> <p>The Inspector noted that cycle parking was in a single facility at the rear of the site and would be inconvenient and raised concerns no details have been provided for a refuse collection point. Whilst these details could be dealt with by condition, the Inspector considered that they do add to the concerns over the layout.</p> <p>As such, which the Inspector considered that the form of a backland development would be acceptable, this is outweighed by the poor design and layout of the appeal scheme. It was therefore considered that the proposal would conflict with policy EN1.</p> <p>With regard to the living conditions of neighbouring properties, the Inspector noted that the rear elevations of no.309 Feltham Hill Road and 1A Goffs Road are sited close to the shared boundary with the application site. The Inspector considered that there would be inadequate separation distance between the vehicular access and manoeuvring space and the rear elevations of these properties that would result in an unacceptable impact upon living conditions by reason of noise and disturbance, which would conflict with the purposes of policy EN1.</p> <p>The Inspector noted that the Council was unable to demonstrate a 5 year housing supply, although considered that the provision of 3 additional dwellings would not outweigh the harm of the scheme when assessed against the Framework as a whole. The appeal was therefore dismissed.</p>
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Site	122 Ashridge Way, Sunbury On Thames, TW16 7RR
Planning Application No:	20/00158/HOU
Proposed Development:	Erection of a front porch, a single storey and part two storey rear extension with a Juliet balcony. Loft alterations that would include a

	hip to gable alteration, the installation of a rear facing dormer with a Juliet balcony, and 2no. roof lights within the front roof slope.
Reasons for Refusal:	The proposed development in terms of its design, scale and location is considered not to respect the proportions of the existing dwelling house, and will appear unacceptably out of scale which would therefore fail to respect the character of the area contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (2009) and the Council's Design of Residential Extensions and New Residential Development Supplementary Planning Document (2011).
Appeal Reference:	APP/Z3635/D/20/3253735
Appeal Decision Date:	24/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	The Inspector considered that the proposed development would significantly increase the size and bulk of the host property. It would result in an uncharacteristic form of residential development when compared to the dwellings within the surrounding area. The Inspector noted that although there are individual fallback positions to which significant weight is given in the determination of this appeal, the proposed development has been assessed on its own circumstances. Accordingly, this is a case where the cumulative scale of the individual elements forming part of the proposed development would result in a physically and visually dominant addition to the property rather than being a subordinate extension. The Inspector concluded that the proposed development would cause unacceptable harm to the character, appearance of the host property and the surrounding area. As such, it would conflict with Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document and the SPD.

Site	6-8 Wolsey Road, Ashford, TW15 2RB
Planning Application No:	19/01201/FUL
Proposed Development:	Erection of a 2nd floor extension to create an additional 1 no. 2 bed unit, alteration to approved 1 no. 1 bed duplex unit, external alterations, and provision of associated cycle parking and refuse storage.

Reasons for Refusal:	The proposal would, by reason of design, scale and location, would appear visually obtrusive and out of character with the surrounding street scene, not paying due regard to the design of the host building. It would have negative impact and fail to make a positive contribution to the surrounding area. The proposal is, therefore, contrary to Policy EN1 of the Core Strategy and Policies DPD 2009, the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 and the NPPF 2019.
Appeal Reference:	APP/Z3635/W/20/3245241
Appeal Decision Date:	27/11/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Inspector considered that the main issue was the effect of the development on the character and appearance of the host building and surrounding area.</p> <p>He noted that the site comprises a commercial building which has undergone external alterations and conversion works to provide 9 flats and that the general character of the area is two storey houses with pitched roofs, He notes that the appeal building's appearance therefore contrasts with nearby housing, but its massing when viewed from the road fits readily into the street scene, with eaves levels higher than those at adjacent houses, but with a lower overall height and the building has a simple form reflective of its previous use.. The Inspector says that the proposal to introduce two front facing dormers into a second floor pitched roof with gable ends would not be sympathetic to the design of the original building, the dormers would appear as incongruous elements unrelated to the present form of the building or reflective of other buildings in the street scene.</p> <p>He goes on to state that although the overall height of the enlarged building would be comparable to that of nearby houses, the width and massing of development at second floor level would be considerably greater than that of the ridges to adjacent hipped roofs. The rear flat roofed elements to both gable ends would be bulky additions, conspicuous in oblique views across the facing hipped roofs to nos. 4 and 10. Therefore he concludes that, '<i>... The proposal would appear as an obtrusive feature, unsympathetic to the host building, out of keeping with the character of the road and detrimental to the appearance of the street scene.</i>' It would thereby conflict with Policy EN1 and the SPD which provides guidance for schemes to be in keeping with and to make a positive contribution to the character of an area.</p>

	<p>The Inspector notes that despite the tilted balance and the fact that the proposal would provide an additional dwelling in a sustainable location, Paragraph 127 (c) of the NPPF requires planning decisions to ensure that developments “are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”. He goes on to conclude that the building has already provided 9 dwellings in an innovative way towards meeting housing need and the adverse impact on the character of the area arising from the current proposal would significantly and demonstrably outweigh the benefit of providing a tenth unit, when assessed against the policies in the Framework taken as a whole.</p>
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Site	18 Junction Rd, Ashford, TW15 1NQ
Planning Application No:	20/00544/HOU
Proposed Development:	<p>Erection of side extension with a gable end element that would have a similar height as the bungalow, the erection of a single storey rear extension and loft conversion including the installation of a 2 no rear facing dormers and 5 no rooflights to the front slope to provide additional habitable accommodation (following demolition of existing conservatory and partial demolition of a garage at the rear). Proposed new access via Junction Road.</p>
Reasons for Refusal:	<p>The proposed rear dormers by reason of its scale, position, design, and prominence would be visually obtrusive in the street scene and would have an unacceptable impact on the character of the area. The development is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p> <p>The proposed side extension by reason of its design, scale and proportion, would have an unacceptable impact on the character of the area and on the character of the paired bungalow. The proposed development would appear as over dominant and would be visually obtrusive in the street scene. The development is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p>
Appeal Reference:	APP/Z3635/D/20/3258989

Appeal Decision Date:	01/12/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Planning Inspector acknowledged that the surrounding area had a varied residential character number of the properties extending at roof level as such she took a view that the roofspace within the area was diverse. However, the Planning Inspector considered that the proposed single storey side extension's ridge line of the roof would be significantly extended to form a gable end which would add a large addition. Thus, she took a view that this element would not respect the original form and scale of the host property to which it would not be subordinate. Furthermore, she considered that the wider front elevation including the formation a gable end would unbalance the pair of semi-detached properties and that the symmetry between these properties would be lost. Given the prominent corner location, the Planning Inspector took a view that the formation of a gable end, so close to the boundary, would appear as an intrusive feature which would erode at the spacious character of the area. Furthermore, the Inspector considered that the use of matching material would not overcome the harm arising from the shape, bulk and proximity of this gable end to the junction.</p> <p>At the rear of the extended roof, the Planning Inspector considered that the two large dormers extensions with their combined width and limited set in from the edges of the rood, would make them appear as bulky and dominant additions to the host property.</p> <p>Consequently, Planning Inspector found the proposal to be harmful to the character and appearance of the area and considered therefore be contrary to Policy EN1 of the DPD, the SPD and NPPF.</p>

Site	102 Windmill Road, Sunbury on Thames, TW16 7HB
Planning Application No:	20/00640/HOU
Proposed Development:	The creation of a vehicular crossover.
Reasons for Refusal:	The proposed vehicle crossover by reason of its location would lead to the creation of a new access to Windmill Road (A244) to the lack of space within the site to turn a vehicle, the development would result in reversing movements either off of or onto Windmill Road, an 'A' class distributor road, which could compromise the safety and

	free flow of highway users. The proposal is therefore contrary to policy CC2 of the Core Strategy and Policies DPD 2009 and the National Planning Policy Framework, 2019.
Appeal Reference:	APP/Z3635/D/20/3258584
Appeal Decision Date:	02/12/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	<p>The Planning Inspector acknowledged that the appeal property was located on a classified A road (A244) which was identified as a busy urban throughfare as such described as reasonably high flows of traffic. Planning Inspector noted that the during her site visit it was observed less traffic level. She however took a view that this was probably due to the restricted travel to Covid-19 restrictions and that she suggested that the road was reasonably busy and traffic was moving at speed. Whilst the she noted that the appeal property's front garden of existing hardstanding was wide enough to accommodate up to two vehicles parked alongside each other, the Planning Inspector however took a view that this would not provide adequate space for vehicles to turn which would lead reversing onto or off the busy highway when vehicles to enter or exit the site.</p> <p>Whilst the Planning Inspector agreed that the wide footpath provides good visibility of the carriageway in both directions, she however took a view that drivers existing the site in reverse would be positioned further from the carriageway. The Inspector also noted that the visibility to the north is restricted by a high fence which is land outside the appellants' control. Thus, it would reduce visibility of pedestrians using the footpath to drivers. Due to the restricted visibility, the Planning Inspector noted that the drivers would need to cross the footpath between any cars parked on it and the cycle path and enter the flow of traffic in reverse gear. Therefore, she considered that this would significantly increase the risk of collisions between users of the highway including adding additional risk by potential reversing movements across the traffic when travel south.</p> <p>Whilst the Planning Inspector gave regards to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010 and to the appellant's statement of case included personal reasons for the need of crossover, she however found that the wider public interest and the potential for an increased risk to the safety of the highway users outweighed these benefits.</p> <p>This led the Inspector to concur with the Council and County Highway Officer' views.</p>

	Consequently, the Planning Inspector considered that the proposal would be significantly harmful to highway safety and would therefore conflict with Policy CC2 of the Spelthorne Core Strategy and Policies Development Plan Document and the NPPF, which only permits development that is compatible with the transport infrastructure taking into account highway safety and access and egress to the public highway.
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Site	7 Conway Drive Ashford TW15 1RQ
Planning Application No.:	20/00690/HOU
Proposed Development:	Erection of a two storey side and single storey front extension (following demolition of existing garage).
Reason for Refusal	The proposed two storey side extension, by virtue of its scale, location and design would immediately adjoin the side boundary and would reduce the visual gap between the application dwelling and no 9 Conway Drive creating a terracing effect. The proposal would appear out of character with the surrounding area where there are gaps between dwellings and would harm the character and appearance of Conway Drive. It would therefore be contrary to policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document 2009 and the Council's Supplementary Planning Document for the Design of Residential Extensions and New Residential Development, 2011, and the NPPF.
Appeal Reference:	APP/Z3635/D/20/3259468
Appeal Decision Date:	02/12/2020
Inspector's Decision	Appeal Dismissed
Inspector's Comments:	The Planning Inspector acknowledged that the area surrounding the appeal site was characterized by semi-detached properties separated from each other by a gap which provided a visual break between buildings and as such this contributed to the spacious character of the area. The Planning Inspector considered that the proposed two storey side development would infill the gap between no 7 and the adjoining property which had previously been extended up to the boundary.

	<p>Furthermore, she concluded that this would make the two adjacent pairs of semi-detached properties appear as a terrace which would be uncharacteristic of this part of the road and would provide an unbalanced appearance.</p> <p>Consequently, Planning Inspector found the proposal to be harmful to the character and appearance of the area and considered therefore be contrary to Policy EN1 of the DPD, the SPD and NPPF.</p>
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