
Appeal Decision

Site visit made on 19 June 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 July 2017

Appeal Ref: APP/K3605/W/17/3170483

24 Birds Hill Road, Oxshott, Leatherhead KT22 0NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Glenwood Homes against the decision of Elmbridge Borough Council.
 - The application Ref 2016/4237, dated 22 December 2016, was refused by notice dated 15 February 2017.
 - The development proposed is erection of 2 no. pairs of semi-detached properties and 1 no. detached property following demolition of existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site lies at the junction of Birds Hill Rise and Birds Hill Road within the Crown Estate. This private residential estate is characterised by large individually designed detached dwellings set within substantial plots in a mature landscaped setting. The pattern of development is very low density and this attribute is specifically noted within the Elmbridge Design and Character Supplementary Planning Document (2012). Policy CS17 of the Elmbridge Core Strategy (2011) (ECS) identifies the Crown Estate as one of a small number of areas where minimum densities of 30dph¹ will not be required.
4. The site is currently occupied by a single detached property but it has extant planning permission for redevelopment with a scheme of three detached houses. These would be built at a greater density compared to the estate overall, but would be broadly reflective of the smaller plot sizes at the entry to the estate on Birds Hill Rise.
5. The proposed development would comprise a single detached dwelling and two pairs of semi-detached properties. The buildings would have near identical spacing to the approved scheme and their massing would be similar. The Council has raised concerns over the detailed design of the semi-detached units but

¹ Dwellings per hectare

given the scale of properties in the area I am not persuaded that the omission of the subservient two-storey elements on the earlier scheme would be detrimental to the street scene. Neither do I consider that the increases in hard surfacing would be significant or harmful, particularly having regard to the screening effect of vegetation on the site frontage.

6. It is contended that the differences between the appeal proposal and the approved scheme are minor. However, the semi-detached nature of Plots 1 to 4 would be apparent from the additional front doors and the symmetry of their façades. Moreover, the individual plots would be substantially smaller than others in the locality. That the rear gardens would not be visible from the public domain does not alter this fact.
7. The proposal would erode the established pattern of detached dwellings on very large plots. Semi-detached houses built at a higher density would be completely alien to the Crown Estate and they would undermine its distinctive character. I therefore conclude that the appeal scheme would cause unacceptable harm to the character and appearance of the area. It would conflict with Policies CS10 and CS17 of the ECS and Policy DM2 of the Elmbridge Local Plan Development Management Plan (2015) insofar as they seek to ensure that proposals preserve or enhance the character of the area.

Other Matters

8. The Council has confirmed that the submitted Unilateral Undertaking would overcome the second refusal reason in respect of affordable housing. Since I am dismissing the appeal it is not necessary for me to consider whether the planning obligations would comply with the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
9. Residents have raised a number of other concerns, including in relation to highway safety, parking and the effect on living conditions. I have given careful consideration to these matters, but having regard to the information before me, they would not constitute reasons to dismiss the appeal.

Conclusion

10. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR