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## Appeal Decision

Site visit made on 29 September 2020

**by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 October 2020**

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**Appeal Ref: APP/K3605/W/20/3244290**

**14 Eriswell Crescent, Hersham, Walton-On-Thames KT12 5DS**

- 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 Silverdale Development Projects Ltd against the decision of Elmbridge Borough Council.
  - The application Ref 2019/1685, dated 18 June 2019, was refused by notice dated 24 September 2019.
  - The development proposed is the erection of a two storey detached house with rooms in the roof and integral garage following the demolition of existing buildings.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Visual perspectives of the proposed development have been submitted with the appeal. The additional information does not raise any new substantial issues as it seeks to address the main character and appearance objection raised by the Council. Therefore, parties would not be prejudiced in making further comments on this information, if they had wished. Therefore, I have determined the appeal taking into account these perspectives.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

4. The appeal site comprises a vacant two storey dwelling in a large plot which has a curved roadside boundary due to a bend in Eriswell Crescent. The plot is adjacent to the side elevation and garden of a dwelling on Eriswell Crescent and to the rear, there is woodland. By reason of the plot's quadrant shape, the remaining side boundary merges with its frontage boundary to create a curve alongside the road. The plot's quadrant shape is an exception to most plots in the area which have conventional front, rear and side (two) boundaries.
5. The site and surrounding area are within the Burwood Park Special Low Density Residential Area where dwellings are substantial in size and varied in design, with some modern styles. Nevertheless, they are set in spacious and mature landscaped plots and surroundings. Other noticeable features are boundaries of mature hedges, absence of pavements, and significant setback of dwellings

- from the road. Within the estate, there are recent examples of redevelopment, relating to replacement dwellings and the sub-division of plots, and many varied house designs. However, the spacious and mature landscaped qualities remain strong distinctive qualities which gives rise to a sense of self-containment and being within a rural area.
6. The height, width and depth of the dwelling would be consistent with other dwellings in the area. The dwelling, including the projecting forward element, would be behind the row of adjacent frontage dwellings. However, the dwelling's frontage and flank would be approximately 6.2 metres and 4.3 metres from the roadside boundary at its closest point respectively because of its angled position relative to the road. Given the spacious context of the area, this would appear relatively close to the roadside boundary. In particular, dwellings in the area are generally set back greater distances from the road than this.
  7. The separation of the dwelling from the road away from this pinch point would widen in either direction across the remaining part of its frontage and flank. Nevertheless, it is not only the pinch point but the whole of the corner part of the dwelling around it, that would appear uncharacteristically close to the road. The eaves of the roof would be lower than the height of the dwelling and at second floor, a sloping pitched roof would dominate. However, the dwelling would still appear substantial in scale and extent, with its steeply pitched roofs and flat roof crown behind. Given this, its corner in relatively close proximity to the roadside boundary would appear cramped and prominent.
  8. Further landscaping could take place alongside the roadside boundary and there is a grassed verge in front of the plot adjacent to the road. Owners are also being encouraged to plant verges and, in some areas, they have been planted. However, the dwelling would be of considerable scale and height and therefore, the screening effect of landscaping would be limited. The visual perspectives show separation between the dwelling and roadside boundary vegetation but not how it appears within the broader context of the surrounding area. For all these reasons, the dwelling would therefore appear as overbearing feature in the streetscene.
  9. There are constraints on the site due to the shape of the plot. In order to address building lines, an inappropriately sited dwelling could result in adverse overlooking of that property. However, there is already an existing dwelling on the site which has significant separation from upper floor windows of the existing dwelling and the neighbouring dwelling. Therefore, it has not been proven that a high quality design replacement dwelling could not be built on the plot.
  10. Within the estate, a minor number of dwellings have sparse levels of landscaping to their frontages exposing them to view. However, these dwellings are set back significantly based on what I saw on my site visit and thus, they do not represent a similar situation. Re-developments of corner plots have also been drawn to my attention but based on my visit of the surrounding area in Eriswell Crescent and Albury Road, none of the dwellings would be as close to the highway as the proposal.
  11. At 7 Cranley Road, a replacement dwelling has been permitted on a quadrant shaped corner plot. The dwelling's corner relationship with the roadside boundary is not dissimilar to the proposal before me. However, most of its

front façade would be sited a significant distance back from the roadside boundary in comparison and this enables a meandering access drive through vegetation to be incorporated into the development. For this reason, the dwelling would not be as prominent as the proposed dwelling and thus, there are material differences between this proposal and that before me.

12. Two planning permissions have recently been granted for replacement dwellings where the closest point of the buildings relative to the roadside boundary have been increased by a small amount. However, these permitted dwellings would still be further back from the road boundary than the current proposal, lessening their impact. Furthermore, every proposal has to be considered on its own particular planning merits and here, the dwelling has been found to be unacceptable for the reasons indicated.
13. For all these reasons, the development would harm the character and appearance of the area because it would not integrate sensitively with the locally distinctive townscape and landscape and it would not result in a high quality design. Accordingly, the proposal would be contrary to Policy CS17 of the Elmbridge Core Strategy Development Plan Document (CS) 2011 and Policy DM2 of the Elmbridge Development Management Plan (DMP) 2015.
14. The appeal site is located with a built-up area with facilities and services, but this is not an overriding consideration in favour of the proposal because the principle of replacement dwelling is not an issue.

### **Conclusion**

15. The proposal would harm the character and appearance of the area in conflict with CS and DMP policies and the development plan taken as a whole. There are no material considerations to determine that the decision should be taken otherwise than in accordance with the development plan and therefore planning permission should be refused. For the reasons given, I conclude that the appeal should be dismissed.

*Jonathon Parsons*

INSPECTOR