



Appeal Decision

Site Visit made on 20 July 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2021

Appeal Ref: APP/K3605/W/20/3262830

94 Manor Road North, Esher KT10 0AE

- 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 Mr & Mrs John Angus against the decision of Elmbridge Borough Council.
 - The application Ref 2020/1681, dated 8 July 2020, was refused by notice dated 16 October 2020.
 - The development proposed is "construction of an additional single storey house with 2 bedrooms in the roofspace".
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a detached two storey house and detached single storey garage with garden and drive to the front and a long rectangular garden to the rear. The surrounding area is residential in character, and largely made up of two storey detached houses with gable and hipped roofs, and gardens of commensurate sizes interspersed with mature trees. This creates a generally spacious character, where large houses occupy open sites facing onto the highway. Where rear gardens have been redeveloped, this has created small groups of houses of similar styles.
4. The proposed dwelling would be sited within the long rear garden of the appeal site, with a vehicular access drive created in place of the existing garage. The proposed dwelling would be set in a maximum of 2m from its side boundaries, with a small garden area at the rear. It has been described as a chalet bungalow with a cat-slide roof on each side, reaching down to eaves heights of 2.5m and with hipped gables. It would be an odd design for this enclosed garden site, of considerable width and depth at ground floor level, and appearing to be of similar maximum height as the existing dwelling at the front of the appeal site. It would read as a two-storey dwelling, rather than as a bungalow with rooms in the roof space.
5. Although the proposed dwelling would have less bulk at first floor level compared to most neighbouring properties, its overall mass would appear similar to the existing dwelling and others in the area. It would be less

imposing than other substantial buildings locally, such as 92 Manor Drive and 92 – 94 Manor Road North; however, being located in a rear garden setting, it would dominate its plot and nearest neighbouring building at 94 Manor Drive on account of its substantial footprint and overall height.

6. Therefore, the proposed dwelling would not appear subservient to the existing dwelling, despite being smaller in scale than some neighbouring properties which face onto the highway. In contrast to those larger properties, the proposal would appear constrained by its plot, which would be enclosed on all sides. It would be clearly seen in views from the highway and neighbouring gardens, and although most of those views would be of the reduced built form above ground floor level, it would still present as a large house confined to a small plot, out of context with its more spacious surroundings.
7. The proposal would therefore harm the character and appearance of the area on account of its substantial footprint and height, which would be disproportionate to the site, resulting in an unduly cramped form of development. This would be contrary to Policy CS17 of the Council's Core Strategy¹ and Policy DM10 of the Council's Local Plan². These require, amongst other things, new development to be of high quality design which respects the character of the area.

Other Matters

8. The Council is unable to demonstrate the supply of housing sites required by the Framework³. In cases such as this, the most important policies are deemed to be out of date and Paragraph 11(d)(ii) of the Framework states that planning permission should be granted for applications involving the provision of housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. I have found harm relating to the effect of the proposal on the character and appearance of the area. Whilst I may attribute less weight to the most important policies by virtue of them being out of date, harm arising out of the proposed development would not be as affected. This harm would be significant and long lasting and as such I would ascribe substantial weight to it.
9. The main benefit of the proposal would be the contribution of one two-bedroom dwelling to the borough's housing land supply in an accessible location, where there is a demonstrated need for houses of this size. There would be short-term economic benefits during its construction and there would be longer-term economic benefits to local shops and services. These are modest benefits to which I attach moderate weight.
10. The Framework advises that planning permission should be refused for development which is not well designed, and that development should add to the overall quality of the area and be visually attractive. The adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole. The proposal would not therefore be sustainable development for which the presumption in favour applies.

¹ Elmbridge Core Strategy (2011)

² Elmbridge Local Plan – Development Management Plan (2015)

³ National Planning Policy Framework (2021)

11. I note that the Council's Officer Report recommended the proposal for approval, before the Council's Town Planning Sub-Committee decided to refuse planning permission. I have read the Officer Report, but for the reasons set out above I have reached a different conclusion to the author of that report on the main issue.

Conclusion

12. The proposal would harm the character and appearance of the area, in conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

L Douglas

INSPECTOR