
Appeal Decisions

Site visit made on 25 July 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2022

Appeal A - Ref: APP/K3605/W/21/3289317

Yeo Cottage, 6 Giggs Hill Road, Thames Ditton, Surrey KT7 0BT

- 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 Mashood Ashraf against the decision of Elmbridge Borough Council.
 - The application Ref 2021/2623, dated 20 July 2021, was refused by notice dated 13 October 2021.
 - The development proposed is described as 'two storey side extension'.
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Appeal B - Ref: APP/K3605/Y/21/3289418

Yeo Cottage, 6 Giggs Hill Road, Thames Ditton, Surrey KT7 0BT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Mashood Ashraf against the decision of Elmbridge Borough Council.
 - The application Ref 2021/2959, dated 20 July 2021, was refused by notice dated 13 October 2021.
 - The development proposed is described as 'two storey side extension'.
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Decisions

1. The appeals are dismissed.

Main Issues

2. The main issues in these appeals are: 1) Whether the proposed development and works would preserve the Grade II listed building known as Yeo Cottage¹ or any features of special architectural interest that it possesses; 2) Whether the proposal would preserve or enhance the character or appearance of the Giggs Hill Green Conservation Area²; and 3) Whether the appeal site is a suitable location for the proposal, having regard to policies concerned with development in areas at risk of flooding (Appeal A only).

Reasons

Whether the proposal would preserve the listed building

3. St Leonards Cottages is an attractive terrace probably dating from the late 18th Century with later additions. The building has a cottage style and appears to have been designed as a whole. It presents a broadly symmetrical and balanced front elevation achieved through the careful use of forms and the

¹ Listed as St Leonards Cottages, 1-6, Giggs Hill Road

² The effect on the conservation area is relevant to both appeals given s72(1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, listed building consent being a function of the planning Acts

placement of the fenestration and chimneys. The building is generally simple in appearance with a hipped roof, rendered front elevation and painted brick to the rear. The importance placed on the front elevation is typical of the era. Restrained detailing is present in the use of a generally central pediment, arched casement windows and porch hoods. The simple vernacular appearance probably echoes the picturesque movement.

4. The appellant's heritage statement suggests the building may have had origins as a stable block range that perhaps included a central 'horse trot' access to a rear stable courtyard. In this respect, it may have had links to Ditton Brewery and is therefore of some local historic interest.
5. Accordingly, the significance of the listed building, in so far as it relates to these appeals, includes the architectural and historic value it possesses as a fine example of 18th Century cottage design. It is also a repository of past building traditions, technologies, fashions and styles.
6. The appeal property forms the eastern bay of the listed terrace. It is a modest cottage accessed from the side. It was awkwardly extended in the 1950s in a way that jars with the linear form and hipped roof evident in the historic part of the terrace. However, the simplicity, white finish and balanced composition of the extension provides some harmony and makes it a subtle addition that does not dominate the 18th Century terrace when viewed from the front.
7. The proposal is for a two-storey extension off the 1950s addition. It would therefore leave the fabric of the more historic part of the building undisturbed and legible. The extension would also replicate the gabled form of the existing rear addition and would be positioned back from the principal front elevation, which is the more architecturally significant part of the building. Due to the subservient footprint and overall size, it would also be a stretch to suggest the extension would dominate or overwhelm the terrace or Yeo Cottage.
8. However, it would create an 'L' shaped plan form that would accentuate the rather awkward placement of the 1950s element of the building and unbalance the terrace when viewed from the front. It would therefore appear discordant and contrived as a result given the importance of the generally symmetrical composition of the building's front elevation. Planting cannot be relied upon to mask this impact as it may fail in the future. The planting may not be effective in the winter months either, as the deciduous plants would drop their leaves.
9. Moreover, the extension, rather than appearing light weight, would have a comparatively complex and engineered appearance due to the extensive use of glass and laminated timber in narrow sections. The use of white bleached timber cladding at the gable end would echo the white finish of the building, but would also jar with its classical styling and finish. Its bold appearance would emphasise its presence and thus appear unduly prominent in the backdrop of the listed building, all the more so because of the comparative ridge height. Thus, the extension would have a harmful overall effect on the architectural significance of the listed building.
10. The appeal scheme has been designed to deliberately contrast with the listed building. It is suggested by the appellant that this is standard practice when dealing with listed buildings as a means of distinguishing old and new. However, I have not been directed to any policy or guidance that advocates this approach in every instance.

11. A clearly modern extension can have its advantages in allowing built phases to be clearly discernible from a superficial inspection. That said, extensions can be of their time but harmonise with the host building, as demonstrated to a limited extent by the 1950s addition. Moreover, an extension built today would have to meet modern standards and would therefore be inherently of its time and could be distinguished as such in the future. Accordingly, there is no need for a complicated contrasting extension in this instance to distinguish the historic from the modern.
12. In conclusion, the proposal would harm, and thus fail to preserve, the listed building. It would therefore be contrary to Policy CS8 of the Elmbridge Core Strategy 2011 (CS) and Policies DM2 and DM12 of the Development Management Plan 2015 (DMP)³, which seek to preserve listed buildings, heritage and the historic environment.

Whether the proposal would preserve or enhance the character or appearance of the Giggs Hill Green Conservation Area (CA)

13. The appeal site is located on the edge of Giggs Hill Green, which provides the focus of the CA. This space, which is generally flanked along its northern side by period properties, has the character and appearance of a traditional village green. This spatial composition is of aesthetic value. It is also of historic interest as testament to the rapid urbanisation of the area, a point demonstrated through map regression in the Thames Ditton and Giggs Hill Green Conservation Area Character Appraisal and Management Plan (CACA). This all provides the CA with significance. The CACA correctly identifies views from the edges of the Green as being sensitive to change and aptly states that St Leonards Cottages are striking and prominent buildings.
14. I have already explained that the proposal would have a jarring and awkward appearance with the host building. This relationship would be discernible from the Green despite the planting in the front garden of Yeo Cottage. This would harm, to a limited extent, the aesthetic value and significance evident in the CA. Although modest and localised, such negative impacts can cumulatively erode the quality of the CA as a whole. Thus, the proposal would not preserve the CA and would be contrary to Policy CS8 of the CS and Policies DM2 and DM12 of the DMP.

The suitability of the proposal having regard to flood risk policies

15. A small section of the appeal site frontage is in Flood Zone 2 and therefore a Flood Risk Assessment has been submitted. This explains that the proposed extension would be outside the flood zone on land marginally set above Giggs Hill Green. Therefore, the risk that the proposed extension would flood or displace flood water is very low. This would be particularly so in respect of the former if the finished floor level was equal to the main house.
16. Accordingly, flood compensation storage would be unnecessary and disproportionate in the circumstances. Even if the extension were to flood, the intention is to incorporate flood resilience measures, such as hard water-resistant finishes to the floors and walls. This could have been secured through suitably worded conditions had the scheme been otherwise acceptable.

³ The application for listed building consent is not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore the development plan policies do not carry the same weight in Appeal B as they do in Appeal A.

17. The mapping before me suggests there could be safe escape routes in an emergency that avoid flood water. This could form part of a flood evacuation plan also secured through a planning condition. Moreover, the occupants could sign up to a flood warning service to reduce the likelihood of needing an emergency route in any event. The first floor would also provide a refuge.
18. The extension would be located on an area of existing hardstanding, so it is unlikely to increase the risk of surface water run off. Surface water details, including a Sustainable Drainage System, could have been secured through a planning condition. In conclusion, the submissions before me proportionately demonstrate that the proposal would be safe and would not increase flood risk elsewhere. As a result, there would be no conflict with Policy CS26 of the CS, supported by the Flood Risk Supplementary Planning Document, which seek to reduce the overall risks from flooding.

Other Considerations

19. The harm that would occur to the special interest of the listed building and the character and appearance of the CA would not be severe and would therefore be 'less than substantial' within the meaning of the National Planning Policy Framework (the 'Framework'). Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
20. The extension would improve the amount, quality and fire safety of the accommodation available at the appeal property and this is capable of being considered a public benefit. However, the existing cottage apparently functions adequately as a dwelling at its current size and despite the large garden, although it may not meet the needs of the appellant. Its size and layout are not untypical of a period property and will appeal to some. The fact that there is no evidence before me of long periods of vacancy and its seemingly good condition are testament to this. There is nothing of substance before me to suggest the property must be upgraded on account of fire regulations. As such, the proposal is unnecessary to secure the use of the building as a dwelling or to improve unsafe accommodation.
21. There would be some minor economic benefits from the construction of the extension, but these would be short lived and modest in scale. Repositioning a window would also improve the privacy of neighbours, although the existing situation does not appear to be especially harmful due to the distance. The extension would also be constructed using lower impact techniques than conventional structures, such as screw-pile foundations and limecrete flooring. Overall, the proposal would have limited public benefits.
22. Thus, when giving considerable importance and weight to the special regard I must pay to preserving the listed building⁴ and the special attention I must pay to the desirability of preserving or enhancing the character or appearance of the CA⁵, I find that the harm that would arise from the proposal would not be outweighed by its limited public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

⁴ See Sections 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

⁵ See Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

Conclusions

23. The appeal scheme would be consistent with policies relating to flooding but would fail to preserve designated heritage assets. It would therefore be at odds with the expectations of the Act, the development plan and the Framework. This is not outweighed by other considerations. As a result, the appeals have failed.

Graham Chamberlain
INSPECTOR