



Appeal Decision

Site visit made on 18 October 2022

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 NOVEMBER 2022

Appeal Ref: APP/D3640/W/22/3298532

6 The Annexe, Mount Pleasant Close, Lightwater GU18 5TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Gareth Wilkins against Surrey Heath Borough Council.
 - The application Ref 22/0027/FFU is dated 14 January 2022.
 - The development proposed is describe as demolition of existing annex and development of a detached 2 bed "coach" house.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters and Main Issue

2. The Council did not issue a decision notice in respect of this proposal. However, an officer's report was submitted through this appeal process. This recommended that planning permission should be refused on two grounds. Subsequent to the submission of this report the Council withdrew one of these grounds in respect to the effect of the proposal on the integrity of the Thames Basin Heaths Special Protection Area (SPA).
3. Therefore, in reviewing the evidence, the main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property comprises an attractive dwelling in a sizeable plot with a sense of spaciousness at the sides, at upper floor level, above its attached garage and side extension. It is in a residential area outside the village centre,¹ surrounded by other detached dwellings of a later date which appear to have been developed on an incremental basis. No 6's singular and relatively grand appearance marks it as a positive feature in this suburban setting where there is inconsistency in the appearance of the built form.
5. Properties on the southern side of the Close opposite No 6 are also varied, with examples of relatively narrow plots to the west at Nos 7 to 9a. But properties on that side of the Close have a subservient position in the street scene, set lower than the appeal property. While there is some variety in terms of design and scale of properties in the area, the row in which the appeal property is located, with space at upper floor level and wide frontages bound generally by low boundary treatments, contribute to a sense of spaciousness in the street

¹ Lightwater Village Design Statement Supplementary Planning Document (LVDS)

- scene. And I observed, as a unique and positive feature, the eye is drawn to No 6.
6. The proposed dwelling would be a modest size with a pitched roof which would retain some space at first floor level. However, the proposal would replace the existing single storey, flat roofed extension with a significantly taller built form that would appear one and half storeys at its front elevation. This would significantly increase the height of the built mass at the appeal site. In turn the presence of the new dwelling in the street scene would be significantly more impactful than the existing extension as it would erode the existing sense of spaciousness in this area.
 7. The proposed design draws influence from a Victorian coach house², and I note the efforts to achieve a form sympathetic to the aesthetic of the existing dwelling at No 6. However, the streetscape in this area has evolved considerably since No 6 was originally constructed, so much so that the new addition would not be readily appreciated as an altered historic feature in this locale.
 8. Furthermore, by virtue of the proposed layout and plot form, the new addition would have a distinct side boundary with No 6, demarcating its separate frontage. This would create a clear separation between the new dwelling and No 6. With these features combined with the increased built mass at the site, unlike the existing low-profile extension it would replace, the proposed modern structure in a newly formed plot, would no longer appear a part of the existing attractive property. This would significantly diminish the current positive presence of No 6 in the street scene through the erosion of its spacious character.
 9. The new dwelling would be between two substantially larger existing dwellings and its form would relate poorly, in terms of scale, to these neighbouring dwellings. While the plot depth would not be dissimilar to surrounding plots in the wider area, its width would be noticeably narrower than existing properties in this row that provides the context within which the proposed dwelling would be viewed and appreciated. Unlike the spacious plots alongside it, the dwelling would fill much of its plot's width. Moreover, by filling the plot and the incongruity in its scale and proportions compared with the substantial properties either side, it would appear squeezed and would erode the gap between these existing properties. For these reasons, it would be a discordant addition in this northern section of Mount Pleasant Close.
 10. The new dwelling would be a similar size and shape to existing dwellings at Nos 9 and 9a and the plot width would also be similar to some nearby properties. However, the coach house inspired appearance of its front elevation would be distinctly different from the traditional style of those dwellings. In this regard the new dwelling's form and appearance would stand out as an oddity when viewed in its immediate setting and in the wider street scene.
 11. The appellant has proposed a low hedge at part of the front boundary. This would improve the existing boundary, be in keeping with surrounding boundary treatments, and could be secured by condition. However, this low-level feature would not conceal the appearance of the incongruous, sub-divided plot. While acknowledging the appellant's efforts to address issues raised in respect to

² 6 Mount Pleasant Close, Lightwater - Design Statement

previous schemes, I find for the reasons stated above that this proposal would significantly erode existing positive features in the street scene and would harm the character of the area, and the mitigation advanced would not negate this harm. I attach limited weight to this factor for this reason.

12. The two-storey extension approved at the appeal site³ provides a fallback position. This would occupy much of the gap between Nos 4 and 6. However, the approved development would read as an extension to No 6 and would not result in the harmful sub-division of its plot. In these regards, it would not entail the same level of development at the site as would be the case with the proposal before me, and the prominence of No 6 in the street scene would be retained under that approved development. It would not therefore be as harmful as this proposed scheme, and it has not altered my assessment in this case for this reason.
13. I therefore find that the proposal would have a harmful effect on the character and appearance of the area. In this regard it would conflict with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies (Core Strategy). These collectively state development will be acceptable where it achieves, amongst other matters, high quality design and respects and enhances the local, natural or historic character of the environment be it in an urban or rural setting, paying particular regard to scale, materials, massing, bulk and density.
14. It would also be inconsistent with guidance set out in the Surrey Heath Residential Design Guidance Supplementary Planning Document and the aim and Principles of the LVDS. These collectively seek to protect and enhance the distinctiveness of Lightwater, and advise, amongst other matters, that new development should pay regard to locally distinctive and valued patterns of development. It would also be contrary to the National Planning Policy Framework and the National Design Guide which seek well-designed places.

Other Matters

15. The proposal would result in a new dwelling, and this would contribute to the Government's objective to significantly boost the supply of homes. It would be a small windfall site, in a built-up area, well related to services and transport modes other than the car. It would also add to the mix of housing types in the local area. However, these benefits would be limited as the development would result in one dwelling.
16. The appeal site is within the zone of influence of the Thames Basin Heaths Special Protection Area (SPA). However, as I find the scheme to be unacceptable in term of character and appearance there is no need to consider this matter further in this case. This aside, if payments or other requirements were necessary to mitigate harm to the SPA resulting from this development, these measures would negate harm and therefore would not amount to a benefit of the proposal.
17. There would be a small environmental benefit if the front boundary was extended, but this would be nullified by harm to the character of the area arising from this proposal which would not be resolved by this measure. Improved planting would also be a benefit, although I attach limited weight to

³Planning Permission Ref 20/0347/FFU

- this benefit which could be achieved without this harmful development. The proposal would, however, result in a small economic benefit in respect to Community Infrastructure Levy payment. Occupants of the new dwelling would also help support local services and add to the vibrancy of the area and this would be a small social and economic benefit.
18. No concerns have been raised by the Council regarding impact on local residents' living conditions, infrastructure or parking provision. But this is an expectation of relevant development and therefore these are neutral factors in this case.
 19. The proposal would use land efficiently. However, while Policy CP2 of the Core Strategy, consistent with the Framework, seeks this outcome, this is within the context of the land's surroundings, respecting and enhancing the quality of the environment. I have found that this proposal would not achieve this and would not maintain the area's prevailing character. It would conflict with Policy CP2 of the Core Strategy and the Framework in this regard and this matter does not weigh in favour of the proposal.
 20. I have had regard to the appellant's comments about the level of housing development in the Green Belt and the proportion of Lightwater effected by the SPA protection zone. I also note the appellant's assertion that the Council does not currently have a 5 year housing land supply. However, this matter has been robustly contested by the Council and I am content that the evidence submitted demonstrates that the current supply in the district significantly exceeds 5 years. Even if there was a shortfall in supply, as outlined above, the proposal would only result in small benefits, and the adverse impacts identified in this appeal would not be significantly or demonstrably outweighed by these limited benefits.
 21. The principle of residential development at the site is not in dispute. With regards development options for the appeal site, while noting it would not result in a dwelling, the Council has granted two planning permissions approving an extension to No 6⁴. The extract of the Council's Head of Planning's advice also clearly outlines design guidance for the appeal site.
 22. My attention has been drawn to decisions relating to other proposals at the site. In all those cases, despite variation in height and appearance of the respective proposals, harm was identified in respect to the visible subdivision of the appeal property be it reference to space, narrow plot or frontage. And I have drawn similar conclusions in this case.
 23. The evidence submitted in this appeal also shows the Council's reasoning, in respect to decisions on this and previous applications, includes consideration of the area's existing character.⁵ Inspectors also clarify this matter in their respective decisions. Previous decision making has been consistent in this regard. Moreover, in reviewing previous decisions I find no evidence that the principle of plot division at the site has been accepted. In any event I have considered this proposal on its own merits and have found that this proposal would be harmful in this regard, and matters raised in respect to earlier decisions have not altered my assessment in this case for the reasons set out in this decision.

⁴ Including Planning Permission Ref 16/1153 – Not implemented

⁵ Planning Application Refs: 2016/0664 and 2017/0707 and Refs previously cited,

24. I have had regard to the officer's comment on application reference 21/0343/FFU for the change of use of the existing annex to a separate dwelling. I have limited details about that proposal but note the appearance of the existing annex would remain similar under that scheme, and it is not directly comparable to this proposal in this regard. I attach limited weight to this matter for this reason.
25. The Parish Council has not raised an objection to this proposal. But this alone does not provide justification for this harmful development. The appellant has drawn my attention to the fact that Lightwater does not fall within the area covered by the Western Urban Area Supplementary Planning Document (SPD). The Council has not provided a copy of this guidance and it is not listed under the Planning Considerations section of the officer's report. The later reference in the officer's report to this guidance therefore appears an error.

Conclusion

26. For the reasons stated above and having regard to the development plan taken as a whole and all relevant material considerations, including the Framework, the appeal is dismissed and planning permission is refused.

A J Sutton

INSPECTOR