



Appeal Decision

Site visit made on 8 February 2023

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 FEBRUARY 2023

Appeal Ref: APP/L3625/W/22/3295108

Great Burgh House, Yew Tree Bottom Road, Epsom Downs KT18 5XT

- 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 Science Group PLC against the decision of Reigate and Banstead Borough Council.
 - The application Ref 20/02781/F, dated 14 December 2020, was refused by notice dated 9 December 2021.
 - The development proposed is a car parking area on the rooftop of the pavilion building, accessed via a landscaped vehicular access and screened through planting and vegetation.
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Decision

1. This appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area with particular regard to the setting of the grade II listed building and historic garden.

Reasons

3. The appeal site is within the grounds of the grade II listed Great Burgh. It is now in commercial use but was historically a house, and its original residential character remains apparent. It is in a Neo Georgian style and built in flint, with Bath stone dressing and Westmorland slate roof. It appears to derive its significance from its traditional country house appearance along with the quality of its detailing and materials.
4. Great Burgh is surrounded by generous open grounds. Within the landscaped gardens at my site visit I observed the existing trees and shrubs along the boundaries and tree planting in the gardens. As well as the historic sweeping drive which passes through. These retain the historic, open, green surroundings and approach to Great Burgh. These features therefore form an important part of the way in which Great Burgh is experienced and consequently make a positive contribution to the setting of the listed country house.
5. The garden is also a non designated heritage asset in itself. In this regard, its significance derives from both the physical features and connection with Great Burgh as set out above and it has a degree of heritage significance meriting consideration in planning decisions.

6. The building that is the subject of this appeal is known as the pavilion and is within the gardens at the front of the house. Its stone parapet wall projects above the level of the lawn due to the topography of the site and the hard surfaced roof is behind this. The rest of the building is at a lower level than the main house and partially screened in some views due to these land levels.
7. The proposed development would introduce car parking on the roof of the pavilion. Even though parked cars would be set back, they would be visible above the parapet wall. Considering the amount of planting that would be appropriate, I am not satisfied that this would prevent cars from being perceived. The development would therefore be more visually intrusive than the existing hardstanding. It is suggested that parking could be restricted to be between a maximum of 0700-1800 on weekdays and 0730-1800 on Saturdays only. However, this is during the daytime, when this visual impact would be most apparent. Consequently, the proposed parking would be a clearly visible feature, and its functional urban nature would be visually jarring within the open parkland grounds.
8. The appeal scheme would also create a new hardsurfaced access to these spaces from the entrance driveway. This would notably increase the extent of built form in the front garden area. It would be in a different material which would differentiate it from the existing driveway. Changes in land levels and proposed planting would reduce views when standing at the front of the main house. Nevertheless, the driveway would be highly visible on the approach to Great Burgh and from elsewhere within the gardens. As such the new drive would be readily apparent and this increased developed area of hardstanding would harmfully erode the important open garden space.
9. Consequently, the proposed development would harmfully increase the extent of urban form and appearance within these gardens and would therefore unacceptably erode their fundamental open, soft landscaped character. Therefore, the proposed development would be unacceptably harmful to the garden and the setting of Great Burgh.
10. Consequently, the proposed development would have a harmful effect on the setting of the Grade II listed building and historic garden. This would be contrary to Policies DES1 and NHE9 of the Reigate and Banstead Borough Council Development Management Plan 2019. Together these require new development to protect designated and non-designated heritage assets and to be of high quality design which makes a positive contribution to the character and appearance of its surroundings, amongst other things.
11. The Framework advises that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance and that any harm requires clear and convincing justification. In terms of the National Planning Policy Framework (2021) (The Framework) the harm to the listed building would be less than substantial. Nevertheless, this is a matter of considerable weight and importance. Paragraph 202 of the Framework requires me to weigh this harm against the public benefits of the scheme.
12. The pavilion is currently operating as part of the food research facilities for the commercial occupiers. Panels of between 10-60 people are required to visit the premises and a number of these visitors arrive by car. At present when visitors cannot park on site, I understand that they park in the nearby residential streets. Although slightly further than a 500m walk, there appears to be on

street parking nearby. These are generally residential streets where some parking already occurs, as such temporary parking from these additional vehicles would not be harmful to character and appearance. Whilst this on street parking may be unpopular with nearby occupiers, I do not have evidence to suggest that levels of on street parking are such that parking from visitors to this business are unacceptably harmful to living conditions. Consequently, whilst on site parking may be more convenient and therefore desirable for the appellant, the public benefit associated with reducing the number of cars parking on street would be limited.

13. It is likely that an alternative suggestion to create new parking areas adjacent to the existing house would also be harmful to the setting of the listed building. Nevertheless, given that I am not persuaded that the existing arrangement is significantly harmful, the lack of an on-site alternative would not weigh in favour of the proposed development. There would also be functional benefits of separating deliveries and visitor parking, however it is likely that this could be achieved in a way that does not result in the extent of harm to the listed building as set out above. As such any public benefit in this regard is also limited.
14. On the other hand, having regard to my statutory duty I am required have special regard to the desirability of preserving the setting of the Listed Building and I attribute considerable importance and weight to this harm. Accordingly, taking all the above into account, the limited public benefits would not outweigh the unacceptable harm I have found to the setting of the listed building, nor the harm to the fundamental character of the historic garden.

Conclusion

15. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR.