



Appeal Decision

Site visit made on 4 April 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 APRIL 2023

Appeal Ref: APP/L3625/W/22/3303833

Land Adjacent to Wiggie Lodge, Wiggie Lane, Redhill, Surrey, RH1 2HJ

- 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 William Burke against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/03023/F, dated 13 November 2021, was refused by notice dated 18 March 2022.
 - The development proposed is described as the 'erection of 1 new dwelling. Resubmission of the previously approved application 00/13480/F.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address in the banner heading is taken from the Council's decision notice and appellant's appeal form as it more accurately identifies the site.
3. In undertaking the site visit, I was unable to access the site. I was, however, able to see the relevant parts of the site sufficiently to judge the proposal from public land. I have based my decision on the totality of the evidence from the appellant and the Council, along with what I observed from the site visit.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the setting of a Grade II listed building.

Reasons

5. The appeal site comprises a parcel of undeveloped land that fronts onto Wiggie Lane and is bound on the other three sides by existing buildings. The area is residential in character and this part of Wiggie Lane comprises a mix of dwellings, both in terms of their design and appearance as well as comprising both detached and semi-detached properties.
6. The existing site provides a gap between the flank wall of No.1 Wiggie Lane and No.8 Frenchies Road, a Grade II listed building. This listed building was formerly an elementary school and annexe to the former St. Bedes School. Built in the vernacular revival style, the building's primary special interest is expressed in its architecture.

7. However, from what I have read and from what I saw when I visited the site and the surrounding area, the setting of this listed building, in so far as it is relevant to this appeal, is derived from the historic and evidential value from being experienced in combination with the adjacent former school building. The gap to Wiggie Lodge and the other houses on Wiggie Lane reinforces its links to the former school site and its history as an Edwardian Board School. The building also sits prominently on the corner of Wiggie Lane and Frenchies Road and its detachment from the houses in Wiggie Lane is a further testament to its previous status. The building's setting therefore contributes positively to its significance.
8. The proposal would introduce a detached dwelling into the appeal site, adjacent to the boundary with the listed building. Although designed to be two storeys and have similar finishes and building line as others in Wiggie Lane, it would appear squeezed in next to the listed building and harmfully jar in terms of its scale and design. It would be possible to clearly see the new house unrelated to the listed building in its backdrop when viewed from Frenchies Road. It would also block some of the existing view of the listed building when approaching along Wiggie Lane from the south.
9. Consequently, the character and experience of the listed building would be harmfully eroded. The proposal would fail to preserve the setting of the listed building. This awkward relationship with the listed building would also harm the character and appearance of the wider area.
10. These harmful effects would be contrary to Policy CS4 of the Reigate and Banstead Local Plan Core Strategy 2014 (LPCS) and Policies DES1 and NHE9 of the Reigate and Banstead Local Plan Development Management Plan 2019 (DMP) which, amongst other things, seek to ensure developments respect the character and appearance of an area and prevent development where a listed building or its setting is harmed. The proposal would also be contrary to a key heritage objective of the National Planning Policy Framework (the Framework), namely sustaining and enhancing the significance of heritage assets.
11. The harm I have identified to the heritage asset would be visual and not physical. In terms of the Framework, this harm would be less than substantial. Nevertheless, the totality of harm to this designated heritage asset is a matter to which I should give considerable weight and importance in my overall balance.
12. Paragraph 202 of the Framework requires that where 'less than substantial harm' occurs it should be weighed against the public benefits of the proposal.
13. The proposal would accord with the Framework's support for windfall sites and wider objective to significantly boost the supply of housing. The development would also make efficient use of land, in line with the Framework's objectives. The dwelling could also support local services and facilities both during the construction phase and once occupied.
14. Conversely, the Framework confirms that great weight should be given to the conservation of heritage assets. Furthermore, it also seeks to achieve well-designed places. The public benefits of developing a dormant site and providing a new dwelling, whilst worthy of considerable weight, are nonetheless countered by the provisions of the Framework relating to design and heritage assets. Given the importance attached to conserving the historic environment,

the public benefits do not outweigh the significant harm that would be caused to the heritage asset.

15. Therefore, I conclude that the public benefits would not, either individually or collectively, be sufficient to outweigh the harm to the heritage asset which would result from the development.

Other Matters

16. The site has had a previous planning permission for a dwelling. That permission was granted over 20 years ago and was not implemented. Each proposal must be considered on its own merits and based on the evidence and context pertaining to it at the time of the decision. It does not automatically follow that the same circumstances will always apply to a site. In this respect, I note that the previous decision predates both the LPCS and DMP, as well as the Framework, all of which I am required to have regard in this appeal. Consequently, I find that the current policy context carries greater weight than a previous, unimplemented planning permission.
17. I have also been presented with other appeal examples in support of the proposal. Whilst these provide helpful background, I have considered the appeal proposal on its individual merits and with regard to the specific circumstances of the site and its surrounds.
18. It is said that there is no objection to the principle of the development. Furthermore, the proposal is said to complement the design and appearance of nearby buildings as well as the shape of the plot. Even if this is the case, such matters would be expected for any development to be considered acceptable and so do not weigh positively in favour of the scheme.

Final Balance

19. Whilst there would be some beneficial aspects of the proposal, I have not found there to be justification for permitting the less than substantial harm to the heritage asset. Furthermore, the proposal would cause some residual harm to the character and appearance of the wider area.
20. For these reasons, the proposal would conflict with the development plan when taken as a whole. There are no other material considerations, including the Framework, which lead me to determine the appeal other than in accordance with the development plan.

Conclusion

21. Therefore, for the reasons given, and having taken into account all matters raised, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR