



Appeal Decision

Site visit made on 24 May 2024

by N Perrins BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2024

Appeal Ref: APP/K3605/W/23/3335840

290 Walton Road, West Molesey, Surrey KT8 2HT

- 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 Jack Hennequin against the decision of Elmbridge Borough Council.
 - The application Ref: 2022/3011.
 - The development proposed is replacement roof to create one new flat.
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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 property is a two-storey terraced building on the corner of Walton Road and Langton Road. The property has a ground floor commercial unit and an existing residential flat at first floor. The property is part of a terrace of buildings with commercial uses at ground floor.
4. The appeal proposal would replace the existing hipped roof with a crown roof incorporating dormer windows. This would be a markedly different roof form to the immediately adjacent properties in the terrace that have pitched roofs. The crown roof with dormers would also be out of keeping with the prevailing roof form in the area, which predominantly comprises traditional hipped, pitched and gabled end roofs.
5. Furthermore, the height, scale and massing would be out of keeping with the scale and form of the adjacent properties that currently contribute positively to the street scene with their consistent ridge and eaves heights. The box-like and uncharacteristic design would, therefore, appear as an incongruous addition to the street scene that would harm the character and appearance of the area.
6. I have reviewed the examples provided by the appellant of mansard and dormer roof forms along Walton Road. However, these examples are relatively few and far between when compared with the prevailing roofscape character of hipped, pitched and gable styles. Furthermore, some of the examples nearby

are located mid-terrace and not directly comparable to the appeal site's corner and end of terrace location.

7. The examples presented on corner plots are located some distance away from the appeal site and, therefore, not directly comparable to the context that exists at the appeal site. Moreover, the examples presented on the corners with Spencer Road and Manor Road are part of a crossroads where three of the four corner buildings have a third storey, and duly relate well with each other in that setting, which contrasts with the situation at the appeal site.
8. With regard to the example of a potentially similar project in Kingston Upon Thames, full details of its context are not before me. I also note that the example is in a different town to the appeal site. I am, therefore, not persuaded it is sufficiently comparable to the appeal scheme to justify the harm I have identified and give it limited weight in this decision. Overall, none of the examples demonstrate the appeal proposal to be acceptable, as I am not satisfied that the context is the same to the specific circumstances of this case, and I must judge the appeal before me on its own merits.
9. To conclude, the proposal would result in an incongruous roof form that would harm the character and appearance of the area contrary to Policy CS17 of the CS and Policy DM2 of the Elmbridge Local Plan Development Management Plan (2015), which require high quality design that would integrate sensitively with the locally distinctive townscape. The proposal would also conflict with the guidance in the Elmbridge Local Plan Design and Character Supplementary Planning Document (SPD) (2012) and those principles of the National Planning Policy Framework (the Framework) that seek high standards of design that accord with local character.

Other Matters

10. I am aware from the information before me that a Unilateral Undertaking has been completed that would commit the development to undergo a late stage viability review to ascertain whether an affordable housing contribution can be provided at an agreed point in the future. I am satisfied that this would be an appropriate mechanism to ensure compliance with Policy CS21 of the Core Strategy had I found the appeal acceptable in all other respects.

Planning Balance and Conclusion

11. There is no dispute between the parties that the Council cannot currently demonstrate a five year supply of deliverable housing sites. In these circumstances Paragraph 11(d) of the Framework states that the policies most important for determining the application are out of date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
12. In terms of adverse effects, the proposal would harm the character and appearance of the area by reason of its height, scale and incongruous roof form. The development would be contrary to Policy CS17 of the CS and Policy DM2 of the DMP in this regard, policies that are consistent with the Framework in so far as it promotes high standard of design that respect local character. I thus attach substantial weight to this conflict and associated harm.

13. Set against this, the development would provide one additional dwelling on a small brownfield site in an accessible location in a context where there is a housing supply shortfall. In addition, the proposal would generate some economic benefits during the construction phase and through local expenditure by future residents. The proposal would also address the repairs needed to the roof and provide improve thermal insulation in the roof to meet current building regulations standards. Nevertheless, in cumulative terms, even though a single additional unit would not make a clear and noticeable difference to the identified housing supply deficit, the scheme's benefits attract great weight.
14. Taking all matters into consideration, and notwithstanding the great weight I have attributed to the scheme's benefits, I conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits when considered against the Framework as a whole. Therefore, the Framework's presumption in favour of sustainable development does not apply, and there are no material considerations that indicate that the proposal should be determined other than in accordance with the development plan.
15. For the reasons given above I conclude that the appeal should be dismissed.

N Perrins

INSPECTOR