



Appeal Decision

Site visit made on 21 July 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd September 2025

Appeal Ref: APP/K3605/W/25/3362943

Langdon Grange (formerly Bevendean Cottage), Warren Road, Oxshott, Surrey KT22 0SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr B Wanstall, Porchester against the decision of Elmbridge Borough Council.
 - The application Ref is 2024/2326.
 - The application sought planning permission for “variation of Condition: 2 (Approved Plans) of planning permission 2021/2561 (Variation of Condition) to add ventilation grates to side elevations of basement” without complying with conditions attached to planning permission Ref 2024/2327, dated 12 December 2024.
 - The conditions in dispute are Nos 1 and 2 which state that:
 1. List of approved plans. The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: DPA-69912-03-REV E received on 21/01/2022. 300 Rev A, 301 Rev A, 304 Rev B and 305 Rev B received on 29/03/2022 from application 2021/2561 And FL21-1814-2201-A - Proposed Plans received on 22/11/2024 FL21-1814-2210 Rev B - Proposed Elevations received on 05/12/2024 from application 2024/2327.
 2. Materials – approved. The development shall not be erected other than in the materials agreed by application 2021/1662 or such other materials as have been approved in writing by the Borough Council.
 - The reasons given for the conditions are:
 1. To ensure that the development is carried out in a satisfactory manner.
 2. To ensure that a satisfactory external appearance is achieved of the development in accordance with policy DM2 of the Elmbridge Development Management Plan.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The main parties agree that the decision notice incorrectly refers to conditions 2 and 3 of planning permission reference 2024/2327 dated 12 December 2024, whereas it should refer to conditions 1 and 2 of that permission. My decision is made on that basis, and I do not consider that any parties would be prejudiced as a result.
3. I noted on my site visit that a glazed balustrade had been installed, along with obscure glazed dividing screens between individual terraces. My decision is necessarily based on the proposed drawings.

Background and Main Issue

4. The proposal seeks to vary the approved plans (condition 1) and materials condition (condition 2) of the most recent permission (reference 2024/2327) for the variation of the approved scheme to allow ventilation grates to the side elevations of the basement.
5. Planning permission was originally granted (reference 2019/3471) for a detached 2 storey building containing 15 apartments with rooms in the roof space. There were subsequent alterations to this scheme made through a permission under Section 73 of the Act (reference 2021/2561) which added the balconies and terraces to the Holtwood Road elevation.
6. The Council confirm that the development of 15 flats within a detached building has been largely completed. The appeal proposal involves alterations to the detailed design including the installation of a glazed screen to the terraces and stairs at ground floor level to the Holtwood Road elevation. This would replace the approved brick terrace walls and stone balustrade and stair wing walls.
7. In light of the above, the main issue is the effect of the proposal on the character and appearance of the building and the surrounding area.

Reasons

8. Holtwood Road and the surrounding area is characterised by substantial detached houses set back from the highway and located within extensive gardens. Whilst there is variety in the detailed design of the dwellings in the area, they are predominantly constructed using traditional materials including brick, render and tiled hipped or gabled roofs.
9. Langdon Grange is a substantial building, comprising brick and hung-tile elevations, with extensive detail and embellishment within the brickwork, and a tiled hipped roof with front and rear gables and dormers. The evidence before me indicates the design rationale for the approved building is partly based on maintaining the appearance of a single dwelling rather than a flatted block. The land rises between Holtwood Road and Warren Road. As such, in views from Holtwood Road, the building is highly visible as it is set on higher ground. The boundary hedge obscures street views from immediately outside the appeal site, but the building is prominent when viewed from the opposite side of the street.
10. Although necessarily high, the approved brick dividing walls to the terraces would match the brick facades, consistent with the appearance of the approved building. Whilst I acknowledge that there are already some more contemporary design features incorporated within the approved scheme, these are small in scale and include the use of modest glazed Juliette balconies to the front and rear elevations, which are discreet additions to the building.
11. In contrast, the glazed screen to the ground floor terraces extends the full width of the building and incorporates the use of clear glazing with obscure glazed dividing screens. Due to its extent, prominence and materials, this results in a jarring juxtaposition against the extensive brickwork and traditional materials and detailing of the building. The proposal's extensive use of glazing introduces materials which would not preserve the character and appearance of the host property, or the immediate area. In this respect the proposal would conflict with the Elmbridge

Design Code Supplementary Planning Document 2024, which encourages new development to respond well to its immediate context and reflect local character, materials and details.

12. I note the approved scheme contains planting immediately in front of the building which would, in time, have a screening effect. Whilst this would soften long views from Holtwood Road to a degree, it would not overcome the harm to the appearance of the building itself.
13. In conclusion on this issue, I find that the proposal would be harmful to the character and appearance of the building and the surrounding area. It would run contrary to Policies CS10 and CS17 of the Elmbridge Core Strategy 2011 and Policy DM2 of the Elmbridge Development Management Plan 2015 insofar as they require all new development to achieve high quality design.
14. Furthermore the development would not be in accordance with the Framework which establishes that good design is a key aspect of sustainable development and which seeks high quality design sympathetic to local character and that the quality of approved development is not materially diminished between permission and completion.

Other Matters

15. The glazed balustrades would allow more open views out from the flats and terraces. It would also allow a greater degree of light through to the relevant flats than would be achieved through the use of brick and stone in the approved scheme. However, there is no substantive evidence before me to suggest that the approved balustrade and walls would not allow sufficient daylight or sunlight to the flats or terraces.
16. I note interested parties' concerns regarding the removal of trees; however, this is not a matter before me for consideration as part of the appeal.

Planning Balance and Conclusion

17. I have found that the proposed glazed screens would be harmful to the character and appearance of the host building and surrounding area. The benefits in terms of the greater light to the flats and terraces, along with more open views out, would not be sufficient to overcome the harm I have identified.
18. As such the proposal to vary the approved plans and materials conditions would be contrary to the development plan read as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal should therefore be dismissed.

L Francis

INSPECTOR