



Appeal Decision

Site visit made on 19 November 2025

by E Everitt BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2025

Appeal Ref: APP/K3605/W/25/3372576

33 Monument Green, Weybridge, Surrey KT13 8QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Soin (Weybridge Dental Care) against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/1255.
 - The development proposed is single storey rear extension to provide staff welfare room.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Section 16 of the Procedural Guide: Planning appeals – England (2025) advises that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially the same scheme that was considered by the Council and by interested parties at the application stage.
3. Nonetheless, when the appeal before me was made, the appellant submitted additional information regarding the need for the proposed development. This includes reference to proposed alterations to the layout of the existing property to provide additional clinical space and the associated benefits this space would provide, albeit no plans are before me. Even if new plans had been submitted in line with the Wheatcroft principles¹, there would be differences between the proposal that was considered by the Council and the revised scheme. As such, it is my view that the appeal must be determined on the basis of the plans and information as originally submitted to the Council, consulted upon and upon which the Council based its decision. To do otherwise would prejudice not only the interests of the Council but also interested parties and consultees, who may have observations to make on the revised scheme. I have, therefore, proceeded to determine the appeal without having regard to the additional information submitted by the appellant.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the host building and the surrounding area, including the Weybridge Monument Green Conservation Area; and

¹ Bernard Wheatcroft v Secretary of State for the Environment (1982)

- the living conditions of the occupiers of neighbouring properties, with particular regard to outlook.

Reasons

Character and appearance

5. The appeal property comprises a 2-storey end-of-terrace building currently in use as a dental surgery. The surrounding area comprises a mix of residential, retail and service uses. There is a variety of architectural styles present in the surrounding area.
6. The appeal proposal comprises a single storey extension at the rear of the property. It would be sited behind the existing boundary wall and have a relatively shallow roof height. However, given the height would be higher than existing boundary wall, the proposed extension would be visible from public vantage points.
7. I acknowledge that the existing extension already extends into what would have historically been space between buildings and there are sheds adjacent to the extension. However, such extensions do not form a dominant part of the character of the area. Moreover, the sheds are relatively low in height, enabling the space between the appeal property and the building to the west to be appreciated. The proposed extension, which would be greater in height than the existing sheds, would result in this space being substantially eroded.
8. As such, the proposed extension would be at odds with the existing pattern of development, extending further into the rear garden than is common in the surrounding area.
9. The appeal site is located within the Weybridge Monument Green Conservation Area (CA). As such, I have a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
10. The special interest and significance of the CA is largely derived from the pattern of development which predominantly consists of houses grouped around open green spaces, which include mature trees.
11. The Council's Weybridge Monument Green Conservation Area Character Appraisal & Management Proposals (CAAMP) identifies the terrace of which the appeal property forms part as a significant unlisted building in the CA, noting that the railings at the front of the property make an important positive contribution to the visual quality of the CA and the outside flank garden wall contributes positively to visual quality. I observed on site that the appeal property is a prominent building at the corner of Monument Green and High Street, which contributes positively to the character and appearance of the CA by reason of its architectural style and form. Consequently, the appeal property contributes to the CA's significance as a designated heritage asset.
12. Even though no change is proposed to the front of the building and the extension would replicate the design of the existing extension, the proposed extension would erode the contribution of the appeal property to the significance of the CA by reason of its positioning and height. It would also be contrary to the management proposals within the CAAMP, including that new development will be expected to

maintain the historic pattern of development. Consequently, the proposed development would fail to preserve or enhance the character or appearance of the CA.

13. I note the appellant's comment that new landscaping and wildlife habitat could be secured via condition to mitigate the loss of planting or biodiversity. Even if secured by condition, new landscaping and wildlife habitat would not be adequate mitigation to the harm I have found above.
14. Accordingly, I conclude that the proposed development would harm the character and appearance of the host building and the surrounding area, including the CA. As such, the proposal would not accord with the relevant provisions of Policy CS4 of the Elmbridge Core Strategy 2011 and Policies DM2 and DM12 of the Elmbridge Local Plan Development Management Plan 2015. These policies, in summary, seek development which preserves or enhances the character of the area and protects, conserves and enhances the Borough's historic environment.

Living conditions

15. The proposed development would result in built form extending deeper into the rear garden, in close proximity to the boundaries of the appeal site. Notwithstanding this, I observed on site that the existing sheds adjacent to the shared boundary with 32 Monument Green are greater in height than the boundary treatment. In this regard, the proposed development is not likely to result in a significant change to the outlook from No 32 compared to the existing conditions. Moreover, existing vegetation within the garden of No 32 provides screening, further reducing the likelihood of adverse impacts on the outlook from No 32.
16. The proposed development would not include any windows or doors facing into No 32. As such, the development would not harm the privacy for the occupiers of No 32. In addition, the height and positioning of the proposed development is unlikely to reduce the daylight entering No 32.
17. The Council does not object to the proposed development on the basis of likely impact upon the living conditions of the occupiers of 47 High Street. From the evidence before me and my observations on site, I have no reason to disagree.
18. Taking account of the above, I conclude that the proposed development would not have a harmful effect on the living conditions of the occupiers of neighbouring properties, with particular regard to outlook. Therefore, the proposal would accord with the relevant provisions of Policy DM2 of the Elmbridge Local Plan Development Management Plan 2015. Amongst other matters, this policy seeks development designed to offer an appropriate outlook and provide adequate daylight, sunlight and privacy.

Other Matters

19. The appeal site is located within close proximity to, and forms part of the setting of two Grade II listed buildings, The Ship Hotel and The Old White House². Mindful of the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving their settings. The listed buildings are prominent buildings fronting onto Monument Green and their setting comprises the green open space of Monument

² List entry numbers 1030169 and 1293595

Green and the adjacent buildings, including the appeal property. The historic built backdrop contributes positively to the significance of the listed buildings. Notwithstanding this, by reason of the siting of the proposed extension to the rear of the appeal property, I consider that the proposed development would preserve the setting of these listed buildings and the contribution this makes to their significance.

20. I acknowledge that the proposed development would retain some outdoor space and that the design of the proposed extension could enable improved accessibility to this space for staff. However, these matters do not lead me to an alternative conclusion on the main issues.
21. The appellant has drawn my attention to positive comments made by the Council in relation to changes to the proposal following pre-application advice. Nevertheless, the earlier proposal was a materially different scheme, including a detached garden room structure, and each proposal must be considered on the basis of its own individual circumstances. I have reasoned above why I have identified harm with the proposal before me. Ultimately, comments made in respect of changes compared to an earlier proposal do not lead me to an alternative conclusion on the main issue.

Planning Balance

22. I have found that the proposed development would fail to preserve or enhance the character and appearance of the CA. With regard to the extent of such harm, I find that the harm would be less than substantial. In accordance with paragraph 215 of the Framework, I am, therefore, required to weigh this harm against the public benefits of the proposal.
23. The proposal would provide additional staff respite space, with improved access to outdoor space, enhancing the employment opportunities provided at the appeal property. There would also be short-term economic benefits connected to the construction of the extension. I afford these benefits limited weight in favour of the proposed development.
24. However, in undertaking the balancing exercise contained in paragraph 215 of the Framework, I conclude that these benefits do not outweigh the less than substantial harm to the CA.

Conclusion

25. For the reasons given above, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

E Everitt
INSPECTOR