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## Appeal Decision

Site visit made on 21 May 2018

**by Nicola Davies BA DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 June 2018**

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**Appeal Ref: APP/D3640/W/18/3193257**

**The Annexe, 6 Mount Pleasant Close, Lightwater GU18 5TP**

- 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 Gareth Wilkins against the decision of Surrey Heath Borough Council.
  - The application Ref 17/0707, dated 27 July 2017, was refused by notice dated 4 October 2017.
  - The development proposed is demolition of single storey annexe and erection of a 2 storey 2 bedroom house, plus single storey extension.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Although the address of the property as set out in the heading reflects that provided on the planning application form, the 'red line' of the application site includes the area both of the Annexe and 6 Mount Pleasant Close itself.
3. The Council has granted planning permission for development described as "*Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof*" on the appeal site (Council Ref: 16/1153). I will deal with this in my consideration later in this decision.
4. The site has also been subject to a refused planning permission (Council Ref: 16/0664) and subsequent appeal (Appeal Ref: APP/D3640/W/17/3172317) for the "*Erection of a two-storey 3-bedroom detached dwelling with new crossover, driveway and new residential curtilage, following demolition of the annexe and single storey rear extension to existing dwelling*". I note that the proposal before me has sought to increase the separation between the new dwelling and 6 Mount Pleasant Close. It has also a markedly different roof form to that previously proposed. I have considered the proposal, the subject of this appeal, on its own merit.
5. The proposal is for a new detached dwelling and a rear extension to the 'parent' property. The Council's reasons for refusal relate only to the new dwelling. Nonetheless, I consider the rear extension forms part of the integrated proposal for the site and cannot be considered separately. In the event that one element is unacceptable then the appeal should be dismissed rather than considering a split decision.

## **Main Issues**

6. The main issues raised in respect of the appeal are the effect of the proposed development on: -
  - (a) The character and appearance of the area; and
  - (b) Habitat and biodiversity at the Thames Basin Heaths Special Protection Area (SPA).

## **Reasons**

### *Character and appearance*

7. On the same side of the road as the appeal property the dwellings to the west are bungalows and the properties to the east are two storey dwellings linked by garages. Opposite are two storey houses. The development in the immediate vicinity of the appeal site is road frontage development with distinct gaps between properties, particularly above ground floor level. The gaps create a sense of spaciousness to the character and appearance of this part of the Mount Pleasant Close.
8. The appeal site is wider than most other plots in the vicinity of the appeal site. The spaces either side of the two storey dwelling above the existing single storey extensions add to the sense of spaciousness to this part of the streetscene. These spaces are clearly visible from the highway above the existing tall evergreen hedge with low wall the forms the front boundary of the appeal site.
9. The proposal is to demolish the existing eastern single storey side extension and erect a detached two storey dwelling. There would be approximate gaps of 1.5m between the new dwelling and 6 Mount Pleasant Close and 2m between 4 Mount Pleasant Close. Part of the frontage wall and existing hedgerow would be removed to provide two parking spaces within the site frontage in front of the proposed dwelling. This would also involve the removal of the large Scots Pine from the frontage of the site.
10. The resulting gap between the proposed dwelling and 6 Mount Pleasant Close would be less than that between 2 and 4 Mount Pleasant Close, as well as that of other gaps between the dwelling opposite the appeal site and that of 6 and 8 Mount Pleasant Close. Although there is separation between the dwellings further west along the northern side of Mount Pleasant Close, these properties are bungalows and have a low density character.
11. I have been referred to other examples of development further along Mount Pleasant Road but that area has a different character and, therefore, is not directly comparable. The properties of Barons Mead and 9 Mount Pleasant Close are bungalows. That is a different development to that proposed here. Whilst some properties host some intervening pitched roof garages, gaps at first storey are retained.
12. I accept that the gap between No 6 and the proposed property has increased when compared to that of the previously proposed scheme. Nonetheless, the gap, being less than 2m width at first floor level, would be noticeably narrower than that of the separation between other dwellings within this streetscene. The resulting gap would be visually harmfully narrower than existing gaps.

This would be out of keeping with the character of the area and those wider gaps that are a particularly important characteristic of the spacious appearance of this streetscene.

13. In addition, the plot width and the width of the proposed dwelling would be significantly narrower than those of other plots and properties in the immediate locality. The proposed dwelling would also appear substantially narrower than the dwellings either side. I saw that front and side roof hips are prevalent within this streetscene. Whilst I find that the hipped design of the roof in itself would not be appreciably different to other roof forms in this location, being centrally pitched this contributes to the visual narrowness of the proposed dwelling. The proposed dwelling overall would have a diminutive appearance and would appear visually cramped positioned between the larger properties of 4 and 6 Mount Pleasant Close. Consequently, the dwelling would appear visually out of keeping within this streetscene.
14. The proposed parking area, whilst in itself similar to other examples in Mount Pleasant Close, would open up the frontage of the site. The opening up of the frontage would emphasise the cramped appearance of the proposed dwelling and the loss of the first floor gap. The visual harm resulting from the proposed development would, therefore, appear more pronounced in the streetscene.
15. Planning permission is in place for a two storey side extension and there is a realistic prospect that it would be constructed (Council Ref: 16/1153). However, the gap between No 6 and the new dwelling and the contrived narrow appearance of the new dwelling mean that the effect on the streetscene would be materially different. This is not a similar proposal given it would be for a detached dwelling. The gap between No 6 and the new dwelling creates this clear distinction.
16. I accept that the existing site of No 6 and the existing dwelling with its annexe extension, that could be occupied independently, is larger than that of other plots and properties in the area. Whilst the existing dwelling differs in these respects to this street context, this does not assume that redevelopment of part of the appeal site with a visually cramped form of development is justified.
17. The proposal also includes the addition of a single storey extension at the rear of 6 Mount Pleasant Close. I have no concerns in regard to that element of the proposed development.
18. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012 which require development to respect and enhance the quality of the urban environment. It would also conflict with Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement that require development to pay regard to the locally distinctive and valued patterns of development. These Design Statement policies also indicate that development should respect the spacious character of the residential area by reflecting the size and frequency of gaps between houses and that overdevelopment will be restricted. It would also be contrary to the core principles of the National Planning Policy Framework (the Framework) that require development to take account of the character of different areas and that seek to secure high quality design.

### *Thames Basin Heaths SPA*

19. Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and saved Policy NRM6 of the South East Plan 2009 indicate that development will only be permitted where it would not give rise to likely significant adverse effect on the ecological integrity of the Thames Basin Heaths SPA.
20. The Council advise that a contribution towards Strategic Access Management and Monitoring (SAMMS) would be required given the sites proximity to the SPA. The Council has confirmed that it has received a SAMMS payment. For this reason, the proposed conflict with these policies and the provisions of the Framework has potentially been overcome. Notwithstanding this, had I considered the development acceptable in all other respects, I would have sought to explore the implications of the recent Court Judgement<sup>1</sup> and the necessity for undertaking an Appropriate Assessment.

### **Other Matters**

21. I accept that the proposed dwelling would be accessible to services, facilities and public transport at Lightwater, Bagshot, Camberley, Woking and Farnborough. It would also contribute a two bedroom dwelling to the Borough's house supply deficit and that the new dwelling would be within an existing residential settlement. Whilst these are modest benefits of the scheme they do not overcome or outweigh the concerns that I have identified in regard to the environmental dimension of sustainable development.

### **Conclusion**

22. Having regard to the above findings, the appeal should be dismissed.

*Nicola Davies*

INSPECTOR

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<sup>1</sup> Court of Justice of the European Union: People Over Wind, Peter Sweetman V Coillte Teoranta