Cobham Conservation & Heritage Trust

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By email to Members of the South Area Planning Sub-Committee

21st July 2020

Dear Councillors

Application no. 2020/0236 - 2 Stoke Road, Cobham, Surrey, KT11 3AS

The Trust writes in this application, due for consideration by the South Area Planning Sub-Committee this Thursday (23rd July)

The recommendation of the case officer is to permit. The Trust has opposed this application and a previously refused application (2019/1432) for this site. The case officer says that on that previous refusal she would have accepted features other than those she identified in the delegated refusal, but the Trust believes that if the application had proceeded to be considered by the Sub-Committee it would have been refused on similar grounds to those for which consideration is asked to refuse this application.

The Trust has written a number of letters which are available on the Council's website relating to these applications but here attaches that dated 16th March 2020. It is writing now to highlight some matters arising from the case officer's report to the Sub-Committee on the current application.

The proposals

The case officer has considered these proposals for four residential units, three of which would have three bedrooms, and a remaining one unit would have two bedrooms. She provides dimensions for the replacement building at paragraph 7 of her report. At no point in her report does she look to specifically compare the footprint and mass of the proposed building with that of the current building.

In its letter of 16th March 2020 the Trust pointed to how much the proposed footprint and mass would increase from the present 2 storey house, into the previously opposed and refused application and now into the current proposals. In the absence of information on those provided directly by the applicants it looked at information that had been only provided in the more obscure CIL applications. That may actually have been transposed incorrectly but the conclusions drawn stand and the Trust would ask councillors to compare the proposed footprint with the footprint for the existing building in drawing no. 2018P/413/301B (attached). Even after the applicants' recently filed amended plans (without providing any description) taking back, it seems, the wall on the south eastern

elevation away from Ravenswood Close by about 2m, there has been little effect on the total footprint. mass etc. and no significant change in the juxtaposition of the proposed building with the Conservation Area. On the Trust's measurements the footprint would increase by over double and possibly up to 2.5 times. Councillors may wish to ask the presenting officer at the hearing of the application to provide proper calculations of the proposed increase in footprint, floorspace, mass etc.

The same drawing demonstrates how much of the site would be swallowed up by the proposed development. It demonstrates, as identified by reports to the Council, how stressed would be the biodiversity on site, the extent of hardstanding and also how far the proposed building would be in front of the building line. To illustrate that further, councillors are asked to consider the photograph below. As far as the Trust can tell (and the applicants have provided no street scene for this, providing only a CGI picture from the north west) the western part of the gable wall of the proposed building would, when transposed onto this photograph, take it to the right of the gate shown.

2 Stoke Road taken from Grid Reference TQ115596

Heritage

The site is located within a Conservation Area and requires special attention to be paid to preserving or enhancing the character or appearance of that. In such circumstances the Council's Conservation Officer is asked in the planning process, along with Conservation Area Advisory Committees, to provide advice on heritage. Yet in this application there is no report from the Conservation Officer for councillors to consider. Cobham and Tilt Conservation

Areas Advisory Committee has objected to the proposal. The conclusion must be that the Conservation Officer considers likewise.

The Tilt Character Appraisal and Management Plan 2015 advises that development in the area will comprise mainly extensions and alterations to existing properties. In this application what is sought by the applicants is a demolition of the current building and the imposition on a prominent corner site of a massive building far closer to the historic Tilt Green. To deliberate on whether the proposal might be appropriate in this Conservation Area, adjacent to an important green space, it would be appropriate to consider what would have to be looked at if this property were washed over in the Green Belt as properties in Downside Conservation Area are. For that Elmbridge Policy DM18 would apply providing either that extensions and alterations did not increase beyond 25% in volume and 25% in footprint or for a replacement building, one that is not materially larger than the one it replaces.

Pre application advice

At paragraph 24 of her report the case officer identifies that pre-application advice was sought but that was prior to the submission of the previous application (2019/1432). One thing on which the Council placed significance in providing that advice on those previous proposals was not building forward of the building line, which the current proposals would do to a significant degree.

Housing need

In considering the nature of the proposed units the case officer argues that their size accords with the findings of the housing need identified by the 2016 Strategic Housing Market Assessment (SHMA) for Kingston and North Surrey. However the requirement identified in that SHMA is for predominantly 1 and 2 bedroom units, with only some need for 3 bedroom units. The 3 bedroom units are actually being adequately supplied through windfall sites in the borough and are not required at constrained sites such as that under consideration. The SHMA is currently under review and likely to identify an even greater need for the 1 and 2 bedroom units and little need for 3 bedroom units. If there were a case for demolition of the existing building and the building of apartments the only development warranted might be for one or two bedroom apartments in a building that would not be significantly larger than the current one and on a footprint that could then follow the building line. At paragraph 35 of her report the case officer identifies that the proposal would exceed the requirements of the locally-adopted density policy. She identifies this as efficient use of the land. The Trust considers that it demonstrates an inappropriate excessive density for a constrained site.

Access and Parking

As the case officer identifies, the Council's parking standards (set out in Appendix 1 to the Development Management Plan 2015) look for two spaces per three-bedroom unit, with one-and-a half spaces per two-bedroom unit. Given the surveys on car ownership it the borough there should, practically, be more parking spaces than the six proposed. And there are always other movements that include visitors and deliveries and councillors will note from inspecting the site that access onto the very busy Stoke Road is difficult from the site with a likely fourfold movement of vehicles.

Conclusion

The Trust asks councillors to find that the scale and siting of the proposed building are out of character for the Conservation Area and would result in an urbanising effect. On this prominent site it would have a negative impact on the openness of the adjacent historic Tilt Green and not only from the west but the open north area of that. The Trust considers that there are clear policy constraints relating to this site and that otherwise the harm that would be created by the proposals would not be outweighed by benefits. It asks that the application be refused.

Yours sincerely

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Cobham Conservation & Heritage Trust

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By email to tplan@elmbridge.gov.uk

To the Planning Department,
Elmbridge Borough Council
Civic Centre, High Street
Esher KT10 9SD

16th March 2020

For the attention of Aline Hyde

Dear Ms Hyde

Application no. 2020/0236 - 2 Stoke Road, Cobham, Surrey, KT11 3AS

The Trust writes to object to this application for a detached two-storey building with rooms in the roof space containing four flats with associated parking following demolition of existing building.

This application follows a refusal of application no. 2019/1432 for a detached two-storey building with rooms in the roof space and basement comprising five flats with associated parking following demolition of existing building ("the first application").

Preliminary observations

The applicants identify the main difference between the schemes as deleting the basement element and providing 4 units instead of 5. But the Trust points out that from the existing footprint of 84.1 sq.m. for the 2 storey house and 29 sq.m. for the garage, the footprint in the first application would have been increased to 197.7 sq.m. and **the footprint now proposed is 259.2 sq.m**. **So, the footprint of the proposed residences would with these new proposals be 3 times that for the existing residence.** That is reflected also in the equivalent increase in mass and making the building even more overwhelming for the neighbours and in the view from the Tilt. Between schemes the depth proposed for the building increased from 19m. to 22.5m.

Much of what the Trust has to say about this application repeats what it wrote in its letter of 22nd July 2019 in the first application. In that refused application there were 33 objections. That number may fall away for this application but due to the fatigue that can occur on the making of, or amending, a number of applications relating to the same site (the applicants amended plans during the first application).

The applicants also make much play of the reasons for refusal of the previous application being for failure to secure legal agreements and risk of water flooding. However, the case officer should have identified further reasons for refusal. Even if there were a recommendation to permit it is anticipated that councillors on the Planning Sub-Committee will review all reasons to refuse the application.

Dealing with a technical matter, there is on the website what is described as a "photo" when it is in fact a CGI. Perhaps more significantly, it is a depiction of the proposals in the first application and not the expanded proposals in this application. The error appears to be repeated in the Design & Access statement at pages 1 and 10, and in that document there is also a like version entitled "Image 3 – View from Tilt Common" on page 7. These may not have been intended to mislead but need to be withdrawn in all versions and a new graphic and image provided before the application continues to be considered.

The Trust would mention also that it is very unsatisfactory not to have the Council's Heritage Officer give a published view on applications such as this so that it is available before the case officer starts to consider the merits of the application. This is a quasi-judicial process and all evidence should be available for scrutiny by the public before the case officer considers it.

Pre-application advice.

The applicants say they took no pre-application advice on the current application. However, the Council did provide the applicants with 2 written pre-application advices for the purpose of the first application. The first was from Graham Speller dated 21st January 2019 and the second was from Peter Brooks dated 12th March 2019. The Trust has not had sight of the plans (and hence dimensions) available for the first advice but the proposal was described as for two detached buildings, one of these comprising a pair of semi-detached two-storey houses and the other comprising two flats. The semi-detached buildings would, it seems, have been for 4-bedroomed units.

The first advice from Graham Speller included that the proposal would meet the locally adopted density policy. The Council's further advice was that it would not make the best use

of the available space and would not meet the locally identified need within the borough. The Council was supportive of the principle of residential development on the site. It was said that since the publication of the revised NPPF in July 2018 the Council had reassessed its approach to applications for new residential units and the 2016 Strategic Housing Market Assessment (SHMA) for Kingston and North Surrey identified the need within Elmbridge was for smaller 1-2 bedroom units, with some need for 3 bedroom units. It was said that the proposals were not accommodating that need.

It is clear from what the Council wrote to the applicants that there was then encouragement to revise their first proposals to a single larger building with smaller units of 1 or 2 bedrooms each. **It was also said that while the proposed building could be deeper than the existing building, the then current proposal was too far forward of the building line and would mean that the appreciation of a view fronting the Tilt would be diminished.**

The second pre-application advice from Peter Brooks followed similar lines. It appears to have been given on the proposals then lodged by the applicants in the first application. The smaller units with 2 x 3 bed and 3 x 2 bed units were considered to make the most efficient and effective use of the land. **But it did also say that that scheme had a building deeper than was recommended. The proposals now put in by the applicants would make the building even deeper.**

There are a number of reasons for studying these pre-application advices. One is to see where the applicants may not be complying with advice tendered. Another is to see where the Council may have been inconsistent or exceeded its remit. Here, in the second advice, the Council do say that the revised scheme had a proposed building deeper than was recommended but fail to specifically say (even if implied) that the building would also be forward of what should be considered the building line as identified in the first advice. It does not identify, as previously, that 1 and 2 bedroom units were preferred to 3 bedroom units. **This is significant as the applicants are now proposing three 3 bedroom and one 2 bedroom apartments thus flying in the face of advices and the needs identified by the SHMA.**

It is an unfortunate feature of these pre-application advices that the Planning Department were driven by a motive to deliver increased housing numbers and to prejudge a change in policies that might or might not be taken into the Council's settled policies in future, such as relating to character. The Planning Department accepted that in offering such advice that it "cannot fully anticipate the formal consideration process of a planning application; neither will it be binding on the consideration of any resulting application"

It should also be noted that the Council advised that the tree officer had requested that parking should be outside the canopy line of the Oak on the northern boundary, the subject of a TPO, and two spaces removed accordingly. The applicants have not followed that advice.

Planning policy

Applications must of course be considered strictly in accordance with the **National Planning Policy Framework** (NPPF) - the latest version being from February 2019 - and accompanying guidance together with the **Elmbridge Core Strategy 2011**, the **Elmbridge Development Management Plan 2015** and the applicable **Supplementary Planning Documents** (SPDs).

When looking at paragraph 189 of the NPPF the applicants have failed to properly assess the value attributable to the existence of the Tilt Conservation Area. Paragraph 192 of the NPPF is also particularly relevant to the consideration of this application in saying that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and c) the desirability of new development making a positive contribution to local character and distinctiveness. **The applicants' proposals satisfy neither of these aims.**

The setting

The application site is situated within the **Tilt Conservation Area**. Stoke Road passes through the Conservation Area and is lined in front of the property by an Avenue of Remembrance with cherry trees planted in memory of those Cobham servicemen who died in service in the second world war. It is noteworthy that the Tilt is also designated Green Belt land. The setting is a special one.

The settling of the **Tilt Conservation Area Character Appraisal & Management Plan,** finalised in 2015, was a serious exercise and considered boundaries with some care as demonstrated by the adding of an area up to Leigh Hill while some properties were taken out. Within that exercise the application site was retained within the conservation area for good reason.

The **Design and Character Supplementary Planning Document Companion Guide: Cobham, Oxshott, Stoke D'Abernon & Downside** has the property in **area COS05: Riverhill, Mill Road and the Tilt.** At paragraph 3.49 that says that development in the area would mainly involve extensions and alterations to properties. Multiple units are not envisaged and the Council has been entirely without authority to actively encourage the applicants to apply for permission for apartments at this site.

The Trust disagrees with the applicants' suggestion that the scale of the proposed building will be appropriate for the size of the plot and not be excessively prominent when viewed from the surrounding Conservation Area. It also disagrees with the applicants' suggestion that the siting of it presents an improvement on the existing property. The footprint of the proposed building and the area proposed for parking and manoeuvring of vehicles take up well over half and possibly two thirds of the plot. The proposed density is of an order that might be found in central Cobham. It is wholly inappropriate for this plot and this area.

There is a natural building line with which the current property complies. The applicants have failed to take note of the Council's advice regarding building forward of that. The proposed building is so far forward of that as to significantly affect views. There is attached a photograph of the current house. The applicants avoid reference points in plans and representations for the new building but the proposed "frontage" would be taken, in the photograph, to a position to the right of the wooden gate shown in the photograph, unacceptably forward of the building line.

Character and density

The density suggested by these proposals is in excess of that looked for in the borough even in more urbanised areas. Elmbridge policy CS 17 is often cited in support of applications to justify considerably increased density. There is a qualification attached to this policy that it has become increasingly necessary to identify. It states 'where overriding harm to the valued

character of area would occur as a result of the application of the minimum density threshold, development at a lower density, which maximizes the efficient use of land, may be acceptable.' Density in this area should reflect the nature of the Tilt Conservation Area and proximity of the Green Belt and it would be appropriate for it to be well below the council's figures for minimum density on development.

Elmbridge policy DM2(a) provides that all development proposals must be based on an understanding of local character including any specific local designations and take account of the natural, built and historic environment. The site being in the conservation area and adjacent to the Green Belt must govern that and clearly makes the proposals inappropriate.

Conclusion

Features that would arise from the proposals would include introducing apartments inappropriate to the Tilt Conservation Area, a new building three times the size of the current residence, and a building considerably forward of a building line and further into the conservation area than could be warranted. There would be the introduction of hardstanding (suggested mitigation factors do not lessen that description) for additional car park spaces and a turning area on what would otherwise be mostly garden land. After taking what is presently garden land there would be insufficient left for the "communal" open space/garden that is needed for 4 apartments in this special area. The concept is one of overdevelopment not in keeping with the character of the area.

The applicants' proposals do not reflect that, throughout, in the policies to be considered, there is recurrent reference to the character of an area not being changed. When looking at the interconnected aspects of sustainability, what is advanced for imposing the applicants' proposals on the community is overwhelmingly outweighed by the damage that would be done to locality, the street scene and the general wellbeing of local residents.

The Trust asks that the application be refused.

Yours sincerely

David Bellchamber
Planning Team
Cobham Conservation & Heritage Trust