

Appeal Decision

Site visit made on 21 October 2016

by R J Maile BSc FRICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 October 2016

Appeal Ref: APP/C3620/D/16/3157779

9 Lower Road, Fetcham, Leatherhead, Surrey, KT22 9EL.

- 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 Steve Skilton against the decision of Mole Valley District Council.
 - The application, ref: MO/2016/0609/PLAH, was refused by notice dated 14 June 2016.
 - The development proposed is detached single garage and log store.
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Preliminary Matter

1. Although the appellant was not at home when I undertook my site visit, I am satisfied that I saw everything necessary to make a proper assessment. The appellant had staked out the site of the proposed new structure.

Decision

2. The appeal is allowed and planning permission is granted for detached single garage and log store at 9 Lower Road, Fetcham, Leatherhead, Surrey, KT22 9EL, in accordance with the terms of the application ref: MO/2016/0609/PLAH, dated 11 April 2016, subject to the conditions set out in Annex A to this decision.

Main Issue

3. The main issue in this case is the effect of the proposed garage and log store upon the character and appearance of the surrounding area.

Reasons

3. The subject property comprises a detached house constructed during the inter-war period. It incorporates a single integral garage, which I understand is of limited dimensions and insufficient to accommodate a modern family car.
 4. A similar proposal for the erection of a detached garage was the subject of an unsuccessful appeal dated 22 October 2015 (ref: APP/C3620/D/15/ 3131208). I have been provided with a copy of that appeal decision and of the submitted plans. The drawings forming part of that scheme indicated a double garage to
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- be sited some 9m in front of the established building line of the house and with no landscaped area between the new building and Lower Road.
5. The proposal the subject of this appeal is for a smaller structure that would be located less than 2m in front of the established building line. The plans also indicate the planting of a beech hedge that would extend across the front garden, thereby screening views of the new garage from Lower Road. Having regard to the siting of the garage, it would have no impact upon the larch and Corsican pine trees adjacent to the front boundary hedge and which are the subject of a Tree Preservation Order dated 24 May 1996.
 6. I carefully noted the relationship of the structure to the common boundary with no. 11 next door. Given the height and size of the garage/log store and the mature beech hedge between these two properties, I am satisfied that it would not be highly visible as seen through the gateway of the neighbouring dwelling.
 7. I have been provided with photographs of other examples of garages that have been constructed within the front garden areas of houses in Lower Road. These were noted during my site visit. As in the case of the appeal site, those properties are within a Residential Area of Special Character, as referred to in "saved" Policy ENV17 of the Local Plan¹.
 8. A number of nearby houses that have the benefit of wider plots have erected garages that accord with the very varied and established front building line along the street. The subject property, however, with its modest plot width precludes the erection of a garage alongside the house as in the case of no. 11 next door.
 9. For all of these reasons, I have found upon the main issue that development as proposed would be in keeping with and not harmful to the varied character and appearance of the surrounding area, as required by Policy CS14 of the Core Strategy² and "saved" Policies ENV17 and ENV22 of the Local Plan.

Conditions

10. I have considered the four conditions suggested on behalf of the appellant and the three conditions put forward by the Council against the tests of the Framework³ and advice provided by the Government's Planning Practice Guidance issued on 6 March 2014.
11. Two of these conditions are common to both parties. They are the standard commencement condition in accordance with the requirements of section 91(1) (a) of the Town and Country Planning Act 1990 and a condition requiring the development to be carried out in accordance with the approved plans, which is necessary in order to provide certainty. They are imposed as Conditions 1 and 3.
12. The materials to be used in constructing the garage and log store are specified in the application form and I consider them to be appropriate to their setting. For this reason, a condition requiring the use of materials to match the existing building, as requested by the Council, is unnecessary. I do, however, find it

¹ The Mole Valley Local Plan (October 2000).

² The Mole Valley Local Development Framework: Core Strategy (October 2009).

³ The National Planning Policy Framework.

necessary to impose a condition in order to secure the planting and retention of the beech hedge indicated on the approved plans, in the interests of the visual amenities of the area (Condition 2).

Conclusion

13. In reaching my finding upon the main issue I have had regard to the fact that a previous planning application for the erection of a detached garage at the site was dismissed at appeal in October 2015. However, the scheme before me can be differentiated from that earlier proposal in terms of the siting and reduced scale of the garage building and the fact that additional screen planting will be provided in the form of a beech hedge.
14. Accordingly, and for the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR

Schedule of Conditions

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The beech hedge shall be planted in accordance with the details specified in Drawing no. 2016/9LR before any part of the development hereby permitted is first occupied and thereafter permanently retained as such.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan: - scale 1:1250.

Drawing no. 2016/9LR: Block Plan – scale 1:500; Floor Plans and Elevations – scale 1:50.