
Appeal Decision

Site visit made on 24 October 2016

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 1st November 2016

Appeal Ref: APP/C3620/W/16/3154673

174 Barnett Wood Lane, Ashted, Surrey KT21 2LW

- 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 Simon Jones of CNLJ (Ashted) Ltd against the decision of Mole Valley District Council.
 - The application Ref MO/2016/0191/PLA, dated 1 February 2016, was refused by notice dated 23 May 2016.
 - The development proposed is erection of new 2 bedroom dwelling to the rear of 174, Barnett Wood Lane, Ashted, Surrey KT21 2LW.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect of the proposed development on the character and appearance of the area;
 - b) Whether the proposed dwelling would provide satisfactory living conditions for future occupants in relation to privacy.

Reasons

3. The appeal site originally formed part of the garden of No 174 Barnett Wood Lane. This substantial, three-storey Victorian house has been converted into four flats. Whilst the two flats on the ground floor have access to small areas of garden, the others do not have any external amenity space. The remainder of the garden has been fenced off to create a plot which has frontage on Skinners Lane. As the site lies within the built-up area of Ashted there is no objection to a residential development in principle. The key consideration is whether or not the site can accommodate a development of the scale proposed without compromising the local environment.
 4. Skinners Lane is characterised by a variety of detached dwellings which differ in size, type and period. There is no regular plot layout and gardens range in size from small to very large. The proposed dwelling would occupy a plot that is comparable in width to many others in the locality. The building would be sited approximately 2m from the boundary with No 174, but would be less than 1m from the southern boundary of the site. However, a reasonable gap would
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be maintained between the proposed dwelling and No 1A Skinners Lane due to the presence of the existing access which serves garages to the rear of No 178. I consider these aspects of the scheme to be acceptable. The building would align with the front elevation of No 1A and the area in front of it would provide an adequate area of hard-standing for vehicles. This combination of factors demonstrates that the dwelling could be accommodated satisfactorily within the frontage width of the plot.

5. However, the depth of the plot is considerably less than others in the immediate vicinity. This would significantly restrict the amount of space behind the proposed dwelling, which would be less than the footprint of the house as a whole. In my view the building would therefore occupy an excessive proportion of the plot, resulting in the site as a whole appearing cramped. Although the depth of the plot would not be apparent from the public realm, the dwelling would simply be too large for the size of the plot. I consider this to be so regardless of the features included in the overall design, such as the extent of the tiled roof, the dormer windows and the kitchen wing. In coming to this view I have also taken account of the substantial enlargement that has been undertaken at No 1A.
6. The introduction of a dwelling on the site would also result in the permanent loss of an area of open space to the rear of No 174. I appreciate that this area is not used as amenity space for the residents of the flats and there are no public views into it due to the boundary hedges. Nevertheless, it forms part of the setting of this large building on a prominent corner site. The gap between the rear of No 174 and the flank elevation of the proposed dwelling would be approximately 7m. This would be substantially less than the existing gap between No 174 and No 1A, which is in excess of 20m. This reduced separation distance, combined with the height and bulk of the new dwelling would make the host property appear out of proportion with its plot. Consequently, the proposal would fail to respect the layout and sense of spaciousness in the locality as a whole.
7. Skinners Lane is narrow and enclosed by hedges and trees. There are no footways and the lane appears to be particularly narrow as it approaches the junction with Barnett Wood Lane. In the event that the appeal was allowed the highway authority has requested conditions requiring provision of adequate visibility splays at the site entrance. I agree that these would be necessary, especially in view of the proximity of the site to the junction. However, in order to provide them it would be necessary to remove a significant section of hedge along the boundary of the appeal site and the side boundary of No 174.
8. The Built-up Area Character Appraisal identifies one of the key characteristics of 'The Lanes' area of Ashted being its narrow lanes, creating an almost rural feel with some stretches having a strong sense of enclosure. In my view the mature, tall hedges and other vegetation that enclose this part of Skinners Lane are one of its defining characteristics. In order to allow access to the new dwelling any replacement hedge would not only be shorter, but would also need to be set back from the street. Consequently, the appearance of this section of Skinners Lane would be significantly changed. In my view this would be harmful to the wider street scene and I am not persuaded that my concerns could be addressed through the imposition of conditions.

9. Taking all these factors into consideration, I conclude that the proposal would be harmful to the character and appearance of the area, contrary to Policy CS14 of the Mole Valley Local Development Framework Core Strategy and saved Policies ENV22, ENV23 and ENV24 of the Mole Valley Local Plan. These policies require new development to respect its setting and to contribute to the enhancement of the character of the area.

Living conditions

10. There are windows at first and second floor level in the rear elevation of No 174 that directly overlook the appeal site. The close proximity of the rear of this adjacent property to the proposed dwelling would give rise to potentially intrusive overlooking.
11. However, the L-shaped footprint of the dwelling would ensure that a small area to the rear of the proposed bi-fold doors would be enclosed by the kitchen wing. This area would therefore not be overlooked and would provide future occupants somewhere they could sit outside in privacy. Whilst this amenity space would be of limited size, there was no evidence presented to suggest that this would make it unacceptable. In these circumstances, I consider it would be for potential future occupiers to decide whether or not the quantity and quality of the amenity space met their particular needs.
12. I therefore conclude that the proposal would not be harmful to the living conditions of future occupants arising from a lack of privacy. In this respect the scheme would comply with Policy ENV22 of the Local Plan which requires new development to provide a satisfactory environment for occupiers.

Conclusions

13. The Government is seeking to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption in favour of sustainable development. The proposal would make a contribution, albeit a small one, to the district's supply of new housing and I have found that it would provide satisfactory living conditions for future occupants. These factors weigh in favour of the scheme. However, I have concluded that the scheme would be harmful to the character and appearance of the area and consider that this harm would outweigh the benefits that would accrue from the provision of a single dwelling.
14. For this reason, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR