

Appeal Decision

Site visit made on 12 December 2016

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 28th December 2016

Appeal Ref: APP/C3620/W/16/3157427

45-47 Church Street, Leatherhead KT22 8EP

- 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 and Mrs Blackburn against the decision of Mole Valley District Council.
 - The application Ref MO/2016/0757/PLAH, dated 6 May 2016, was refused by notice dated 5 July 2016.
 - The development proposed is described as 'The proposal seeks to establish two parking bays and vehicle access at 45-47 Church Street. The existing boundary wall will be reduced in height with a new wall set back towards the house'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Leatherhead Conservation Area.

Reasons

3. 45 and 47 Church Street would have originally been a pair of four-storey semi-detached Victorian villas, which now appear to be occupied as one substantial dwelling. The building is attractive, with decorative details on the front elevation. The house is set back from the road in a slightly elevated position. The front boundary is defined by a brick wall with two pedestrian openings onto Church Street. This part of Church Street features a variety of historic and traditional buildings, including a row of similar, painted villas. Brick boundary walls of varying heights and styles are commonplace and form part of the character and appearance of this approach road to the town centre. The site lies within the Leatherhead Conservation Area, a designated heritage asset.
 4. It is proposed to open a gap in the front wall of approximately 4m in width to create vehicular access to the property from Church Street. The height of the wall would also be reduced to provide 2.4m x 47m visibility splays. The existing pedestrian accesses would be closed off and an existing front courtyard area would be remodelled to provide an off-street parking area. An area of landscaping at the front of the site would be reduced in size and a smaller additional planting bed would be created between the parking area
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and the house. Brick-clad electric gates 1.1m high would be installed at the access, which would be set in from the position of the existing wall. The wall would be reconfigured along its length so that the upper section would be staggered back from the lower section, giving the appearance from the street of a low wall, in the same position as the existing wall, with a taller wall behind it. A new planting bed would occupy the space of approximately 0.6m between the walls.

5. I note that efforts have been made to redesign the wall so that elements of it would reflect the existing wall, including that the rear section would match it in terms of height, bricks and coping. I also note that some of the taller front vegetation would be retained. However, the front planting area would be reduced and the hardstanding area within would be enlarged and converted to a parking area, which would be partially visible from the street. This would detract from the existing appearance of the front of the building and would be at odds with neighbouring properties where there is no front vehicular access from Church Street.
6. Notwithstanding the efforts to limit its effect, the changes to the appearance of the wall would be perceptible to a significant degree and would not reflect the nature of any other boundary walls in the vicinity. I accept that the top section of the boundary wall at 41 Church Street is set a little back from its lower front section. However, this is to a notably lesser amount than would be the case with the proposed wall and, like other properties in the area, No 41 only has pedestrian accesses through the front wall, with no parking or turning facilities behind its front wall.
7. The proposal to disguise the electric gates as part of the wall would appear somewhat contrived, since they would be distinguishable by their set-back position, albeit this would be limited. Furthermore, the disguise would only be effective while the gates remained closed, the control of which would be outside the scope of a planning condition. I have also considered the other conditions suggested by the Council, with which the appellants have expressed full support. However, these would not be sufficient to overcome my significant concerns in relation to the effect of the proposal on the character and appearance of the LCA as a designated heritage asset.
8. For these reasons, I conclude that the proposed development would have a negative impact on the character and appearance of the host building and of the streetscene. It therefore follows that it would fail to preserve or enhance the character or appearance of the LCA, contrary to the expectations of the National Planning Policy Framework and adopted Policy CS 14 of the Mole Valley Core Strategy 2009, which seeks, among other things, to ensure that areas and sites of historic or architectural importance will be protected and, where appropriate enhanced.
9. However, I would quantify the extent of this harm as being less than substantial when considered in the context of Paragraphs 133 and 134 of the Framework because the proposed development would resemble the existing wall to a degree. Such harm needs to be balanced against any public benefits the development might bring. I recognise the associated benefits of on-site vehicular access and parking in relation to the residential occupation of the host property, including in order to charge an electric vehicle.

However, these benefits are limited in their scope as public benefits and accordingly do not outweigh the harm to the character and appearance of the LCA that I have identified.

Conclusion

10. For the reasons given above, and having regard to all matters raised, I conclude the appeal should be dismissed.

Catherine Jack

INSPECTOR