

Appeal Decision

Site visit made on 20 December 2016

by D Cramond BSc MRTPI

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

Decision date: 4 January 2017

Appeal Ref: APP/K3605/D/16/3160661

15 Woodend Park, Cobham, KT11 3BX

- 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 Pasq Mingoia against the decision of Elmbridge Borough Council.
 - The application Ref 2106/2338, dated 15 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is the erection of 2No black open metal sliding entrance gates with associated brick piers.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has been partially completed; this does not alter my approach to determining the merits of the proposal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

Character and appearance

4. The appeal property is a substantial two storey detached dwelling with a broadly triangular plot set on the inside of a curve in Woodend Park. This road is one of superior detached homes of varied styles within generous gardens which come together to give an area of established residential character and spacious and pleasing appearance. The proposal is as described above and the height of the structures is put at not exceeding 1.9 metres.
 5. The Woodend Park area around the appeal site embodies substantial front gardens with an open plan or soft landscaped nature, and offers the set-back views of the dwellings beyond, all contributing positively to the local scene. The almost virtual absence of hard boundary definitions along the back edge of the footways is a very noticeable factor within the immediate environment and is a genuinely locally distinctive characteristic which is aesthetically pleasing. The appeal property is within a central and prominent location in this scene.
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The proposal would be an intrusion upon this. The structures would not be in accord with what is generally seen in this vicinity and consequently jarring on the eye by reason of their incongruity. Even allowing for existing hedging and non-solid construction of gates they would markedly reduce the open aspect of the front elevation of the property and decrease the sense of spaciousness accordingly. The scale and composition of the scheme and sense of enclosure created would lack sympathy and harmony with the streetscene and the character of the area.

6. Policy DM2 of the Elmbridge Local Plan Development Management Plan and Policy CS17 of the Elmbridge Core Strategy (2011), taken together and amongst other matters, seek to ensure new development embodies high quality design, reflects prevailing character and exemplifies local distinctiveness. For the reasons given above I conclude that there would be conflict with these policies. The policies have objectives that are also reflected in the Council's Design and Character SPD 2012 (SPD) and the scheme would, additionally, run contrary to this document.

Other matters

7. I recognise that the proposal did not raise neighbouring amenity, tree or highway safety concerns from the Council and I would agree with that assessment. I also appreciate that the gates would not always be closed. I understand the Appellant's wish to increase security and I am aware that there is local and national encouragement to do so; albeit the great majority of other households on this estate do not include high gates in their security arrangements.
8. The Appellant refers to the Oxshott, Stoke D'Abernon & Downside Companion Guide which sets out broadly the character of the area. However to my mind the guide provides little in the way of relevance to the case although I do note that there is a call for development to reflect locally distinctive development. I acknowledge that there is some variation to local frontages but the vast majority would not align with the appeal scheme and this stretch of Woodend Park is effectively free from the hard boundary accoutrements now proposed.
9. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
10. I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR