

Appeal Decision

Site visit made on 13 June 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 07 July 2017

Appeal Ref: APP/K3605/W/17/3171814

Rear of The Running Mare, 45 Tilt Road, Cobham, Surrey KT11 3EZ

- 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 A Zagragja against the decision of Elmbridge Borough Council.
 - The application Ref 2015/2955, dated 30 July 2015, was refused by notice dated 26 October 2016.
 - The development is stationing of a portacabin for use as a taxi booking office in rear car park.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The portacabin has already been erected and I have considered the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the development on the character and appearance of The Tilt Conservation Area.

Reasons

4. The appeal site comprises part of the car park at the rear of a two storey public house located within The Tilt Conservation Area (CA). The public house is a Significant Unlisted Building located in a well-established residential area, with residential properties being situated either side of the car park running along the western side of Tilt Road. These properties, along with those in the surrounding residential streets, are predominantly built in brick with pitched tiled roofs. These features give the area a strong unifying character and appearance which is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens and the open land alongside the River Mole at the rear of the site.
 5. The portacabin for use as a taxi office is situated in the south western corner of the car park adjacent to a bin storage area and a timber outbuilding associated with the public house, with a fence and mature landscaping along the boundary of the site. The portacabin with a flat roof measuring about 7.5m length, 2.8m width and 3.0m high is rendered and painted cream to match the public house.
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6. I consider that the stark utilitarian form and appearance of the portacabin structure is very much at odds with the older more traditional character and appearance of many of the properties in the CA. The external finish and design does not, in my view, achieve the high standard of design and use of more traditional, high quality materials that I would expect to be used in the CA.
7. The consequential harm would not in my view be sufficiently resolved by the limited effect of the single storey structure on the street scene. In any case, the site is viewed from the car park at the rear of the public house and the rear of the surrounding properties. As such, I consider the portacabin, by virtue of its siting, design and external finish, results in an incongruous and out-of-keeping addition that adversely harms the character and appearance of the CA.
8. Given the modest scale of the development affecting the CA, the harm would be less than substantial but in accordance with paragraph 134 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits to the proposal. I note the appellant's statement that the taxi booking office employing local people is in keeping with the adjacent public house business and offers an alternative safe method of travel to and from the establishment. I find though insufficient public benefit to offset the identified harm to which I attach significant weight.
9. I have considered the appellant's comments regarding the context provided in the relevant local planning policies and the Framework for good design but I find that the development does not achieve the standards the Framework and local planning policies seek. I have considered the appellant's comments and the supporting heritage statement that the appeal scheme has been sensitively designed in order to minimise any impacts on adjacent dwellings and the CA. Whilst the landscaping and boundary treatment assist in mitigating some impacts of the development, these do overcome the adverse effects outlined above. I therefore accord these matters limited weight.
10. I have considered the appellant's statement regarding the small scale and temporary nature of the building that can be easily decommissioned and removed from the site at the end of the temporary office building's period of use. However, this appeal is not seeking temporary planning permission and does not provide sufficient grounds for such an inappropriate development in this location for the reasons set out above. In any event, the disputed issue regarding the character and appearance of the CA and the surrounding area is unlikely to change over the forthcoming years. Therefore, a temporary permission would not make the portacabin acceptable even in the short term.
11. Consequently, I conclude that the development has a harmful effect on the character and appearance of the CA. The development conflicts with the design and conservation aims of Policy CS17 of the Elmbridge Core Strategy 2011 and Policies DM2 and DM12 of the Elmbridge Development Management Plan 2015. These policies seek, amongst other things, to ensure that proposals are of a high quality design that respond to the character of the local area and preserve or enhance the character and appearance of the Conservation Areas.
12. In addition, it would not accord with the aims of the Framework that development should seek to secure a high quality of design and conserve heritage assets in an appropriate manner (paragraph 17) and take into account the desirability of making a positive contribution to local character and

distinctiveness in conserving and enhancing the historic environment (paragraph 131).

Other Matters

13. I acknowledge the appellant's comment that one of the core planning principles of the Framework is to support sustainable economic development to deliver thriving local places (paragraph 17) and that the Government is committed to ensuring the planning system supports sustainable economic growth (paragraph 19). I accept that the appeal scheme, that employs local people and provides a service for the community in a sustainable location close to local facilities and public transport, would accord with the Framework's objective of supporting economic growth. However, I have little evidence before me regarding the level of demand for such a taxi booking business locally. In any case, the benefits arising from this development do not outweigh the harm I have outlined above and as such it does not amount to sustainable form of development as envisaged by the Framework.
14. I have noted the objections from local residents, Cobham and Downside Residents Association and the Cobham Conservation and Heritage Trust to the development. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

Conclusion

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

David Troy

INSPECTOR