



Appeal Decision

Site visit made on 8 July 2019

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2019

Appeal Ref: APP/K3605/D/19/3227996

12 Korea Cottages, Tilt Road, Cobham KT11 3HP

- 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 & Mrs Long against the decision of Elmbridge Borough Council.
 - The application Ref 2018/2328, dated 27 July 2018, was refused by notice dated 2 April 2019.
 - The development proposed is extension of single garage to double garage.
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Decision

1. The appeal is allowed and planning permission is granted for a detached single-storey double garage following demolition of the existing detached garage at 12 Korea Cottages, Tilt Road, Cobham KT11 3HP in accordance with the terms of the application, Ref 2018/2328, dated 27 July 2018, subject to the conditions set out in the attached schedule.

Procedural Matter

2. In allowing the appeal I have used the Council's description of development as this would appear to more accurately describe the proposal and has been used by the appellant's in their Statement of Grounds for Appeal.

Main Issues

3. The main issues are:
 - i. whether or not the development would preserve or enhance the character or appearance of The Tilt Conservation Area;
 - ii. whether the development would adversely affect nearby trees or hedgerows of public amenity value.

Reasons

4. The site consists of a characterful semi-detached property, constructed circa 1867, set within a good sized triangular-shaped plot. The scheme relates to a double garage situated towards the rear of the site.

Conservation Area

5. In determining this appeal, I have duties to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
6. The Tilt, Cobham is an attractive linear settlement comprising a series of enclosed and partially enclosed open areas, formerly part of a much larger area of common land, which form a string of spaces at the edge of the suburban extent of the Borough of Elmbridge. The area is generally characterised by modest groups and individual dwellings set around a series of informal open spaces.
7. The site derives its significance as it forms part of a row of properties, known as Korea Cottages, which have been identified as significant unlisted buildings. These properties are notable for their scale with their tall gabled front elevations and sash windows under red brick arches. This creates a strong impression within the street-scene, with the shared gables of paired properties defining the pairing of houses, emphasising the cohesiveness of the group to this part of the Conservation Area.
8. The garage would however be situated in the same location as the existing which is some distance from these properties, accessed via a narrow lane off Tilt Road, that also serves the cemetery. It would therefore not be viewed in the same context as the linear row of cottages along Tilt Road. Whilst the garage would be larger, the height would be the similar to the existing owing to its design which involves a crown roof. However, the flat part of the roof would not be visible within the street-scene owing to the location and orientation of the building. Whilst this form of roof is perhaps therefore uncharacteristic and not encouraged, given its location, it would not result in unacceptable harm, even if some vegetation were lost, and so would integrate sensitively.
9. The garage door would be the most visible element of the building. However, the appellants have stated their willingness to change the use of materials from that originally proposed, and so the materials and external finish can be controlled by a suitably worded planning condition. Given the nature of this change and control that would still be exercised by the Council, I do not consider that any injustice to the parties would arise. Accordingly, the garage would not result in a building of suburban appearance.
10. I therefore find the appeal proposal would preserve the character and appearance of The Tilt Conservation Area. It would accord with Policies DM2 and DM12 of the Elmbridge Local Plan Development Management Plan, 2015 (the ELP), and Policy CS17 of the Elmbridge Borough Council Local Development Framework Core Strategy Development Plan Document, 2011. These policies, amongst other things, require development proposals to: be based on an understanding of local character; protect, conserve and enhance the Borough's historic environment; and, integrate sensitively with heritage assets. For the same reasons, the development would comply with the objectives of the Elmbridge Borough Council Design and Character Supplementary Planning Document, 2012, and The Tilt Conservation Area Character Appraisal & Management Plan, 2015.

Trees

11. There are a number of trees in close proximity to the garage although only limited arboricultural information is before me to ensure that trees of public amenity value would be protected during the construction process. In my view, there are a number of trees and hedgerows at the site that make an important contribution to the visual amenities of the area given their prominence within the street-scene.
12. However, there is an existing vehicular access with hardstanding as well as the garage and associated structures that are to be replaced. I am therefore satisfied that a suitably worded planning condition would ensure that important trees and hedges would be protected.
13. I therefore conclude that the development would not adversely affect nearby trees or hedgerows of public amenity value and so would accord with Policy DM6 of the ELP. This policy requires, amongst other things, that development proposals should not result in the loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area.

Conditions

14. The conditions are those suggested by the Council, as well as that of the appellant's in respect of the garage door. Accordingly, in addition to the standard time limit condition it is necessary to specify the plans in the interests of certainty. Conditions requiring samples of materials as well as details of the garage door are necessary in the interests of preserving the character and appearance of the Conservation Area. A pre-commencement condition in the interests of protecting trees and hedgerows at the site is necessary given their proximity to the garage. Finally, in the interests of controlling flood risk, a condition is necessary to ensure that development only be carried out in accordance with the submitted Flood Risk Assessment.

Conclusion

15. For these reasons and having regard to all other relevant matters raised, I conclude that the appeal should be allowed.

Paul T Hocking

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location and Block Plans (100); Proposed Block Plan (103); Existing Floor Plans and Elevations (101); Proposed Floor Plans and Elevations (102).
- 3) No development above damp-proof course level shall take place until samples of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved details.

- 4) Prior to installation of the garage door, details of the materials to be used and external finishes for it shall be submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved details.
- 5) Before the commencement of development, arboricultural details shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - A) The existing trees and hedges to be retained in the form of a tree survey and arboricultural impact assessment, in line with BS5837:2012, and shall include details of all current and proposed hard surfaces, walls, fences, access features, and ground levels.
 - B) The measures to be taken to protect existing trees and hedges during construction, demolition, and delivery of materials / machinery, including a tree protection plan and an arboricultural method statement in line with BS5827:2012.
 - C) Prior to the commencement of works on site, but after the installation of the tree protection measures in accordance with B) above, the appellants shall arrange a pre-commencement site meeting with the Local Planning Authority to allow inspection and verification of the tree protection measures. All agreed protection measures shall remain in-situ whilst development works take place.
- 6) The development hereby permitted shall be carried out in accordance with the details contained within the Flood Risk Assessment prepared by Caroline Hampton dated 17 August 2018. The measures to mitigate flood risk shall be fully implemented prior to the first use of the garage.