



Appeal Decision

Site visit made on 18 December 2019

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/C3620/W/19/3237722

21 The Glade, Fetcham KT22 9TQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr T Crooks and Casswell against Mole Valley District Council.
 - The application Ref MO/2019/0766, is dated 25 April 2019.
 - The development proposed is described as 'Removal of existing driveway serving No 21 The Glade, creation of new accessway via No 23 The Glade, Creation of New Landscape Scheme to the front of No's 21 and 23 The Glade and the Construction of 2No Three Bedroom Homes'.
-

Decision

1. The appeal is dismissed.

Background

2. It is not disputed that the Council cannot demonstrate a five-year supply of deliverable housing sites. As such, the presumption in favour of sustainable development contained in Paragraph 11(d) of the National Planning Policy Framework ('the Framework') is engaged. Permission should therefore be granted unless any adverse effects associated with the proposal significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal site is occupied by two detached dwellings which front the road and have long rear gardens. It is proposed to erect two detached dwellings to the rear of the existing buildings, which would be served by a new driveway accessed from The Glade. In addition to the proposed dwellings, the existing vehicular access to No 21 The Glade would be closed up as part of the development and an area of soft landscaping would be created to the front of the existing dwellings. The existing and proposed properties would be served by a single access to the front of No 23 The Glade.
5. The surrounding area has a suburban residential character and there are a variety of property types along The Glade, which are predominately detached

dwelling of a traditional design set within generous plots, which front the road behind areas of off-street parking. This creates a spacious character which contributes positively to the local distinctiveness of the area. The existing dwellings at the appeal site follow the prevailing pattern of development.

6. The Council's 'Built Up Areas Character Appraisal for Bookham and Fetcham' Supplementary Planning Document (February 2010) (the 'SPD') explains that one main characteristic of the West Fetcham area, is that houses are often set back behind well maintained front gardens, with wide streets, grass verges and lateral separation between buildings combining to create a strong sense of spaciousness. In addition, the SPD notes that house plots are mostly of a regular size/spacing, which creates a sense of coherence despite a variety of house designs.
7. A material consideration in this case is the appeal decision¹ of 15 October 2018 relating to the erection of two dwellings on the same site. The appeal sought outline planning permission, with the matters of access, landscaping, layout and scale considered at that stage. The appeal was dismissed with the Inspector finding that the proposal would have a harmful effect on the character and appearance of the area. However, the Inspector found that the proposal would not harm the living conditions of the adjacent properties.
8. There are material differences between that scheme and the current proposal. Firstly, the current proposal seeks full planning permission, whereas the previous application sought outline permission. Secondly, the size of the proposed homes has been reduced and changes to the access arrangements are proposed. Finally, the Council cannot demonstrate a five-year supply of deliverable housing sites. Whilst it is an important planning principle that like cases should be determined in a like manner, this appeal needs to be determined on its own merits.
9. The proposed dwellings would be located to the rear of the existing buildings and would not have a road frontage, which would be a departure from the prevailing pattern of development within the local area. Furthermore, the proposed dwellings would be situated within small plots, whilst the sub-division of the residential gardens of Nos 21 and 23, would result in the creation of smaller plots for the host buildings. The plot sizes for the existing and proposed dwellings would be out of keeping with the area's existing spacious character.
10. Whilst I acknowledge that the proposed dwellings would not be readily visible from the street, the proposal would not be reflective of the prevailing pattern of development on The Glade, whereby properties front the road and are set within generous plots. Therefore, the proposal would cause significant harm to the character and appearance of the area. The proposed soft landscaping to the front of the site would be a minor benefit of the proposal, but this would not outweigh the harm I have identified.
11. The appellant points out that there are several backland and infill developments, which are located to the rear of existing properties on The Glade and within the local area, and that such forms of development are 'prevalent' across the West Fetcham and East Bookham areas. As such, the appellant argues that the SPD no longer accurately describes the local distinctiveness of the area.

¹ APP/C3620/W/18/3196335

12. Whilst there has been a degree of change within the local area since the adoption of the SPD, the extent to which backland development is present within The Glade is limited, and, such developments are the exception rather than the norm. Therefore, I have afforded the existence of other backland and infill development on The Glade limited weight in the overall planning balance.
13. In terms of the examples within the wider area, I am not aware of the particular circumstances in relation to those cases. Nevertheless, I note that most of the developments are located a considerable distance away from the appeal site, and such development is not seen in the context of the appeal site and does not therefore contribute directly to the distinctiveness of the local area.
14. For the reasons set out above, I conclude that the proposed development would cause significant harm to the character and appearance of the area. As such, the proposal would not accord with Policies ENV22, ENV23 and ENV24 of the Mole Valley Local Plan (2000) and Policy CS14 of the Mole Valley Local Development Framework Core Strategy (2009), which collectively require new development to respect the character and appearance of the area, including existing street patterns and the general space around buildings. I consider that these policies are consistent with the Framework's aims of securing good, contextually appropriate design and therefore the conflict with them warrants significant weight.

Planning Balance

15. The provision of two additional dwellings would make a positive contribution to the Council's housing land supply which weighs in favour of the proposal, albeit that the contribution would be modest due to the quantum of development proposed. In addition, the proposal would meet an identified need for two and three-bedroom dwellings within the District. There would also be some limited benefits to the construction industry and from the spend of future occupiers, as such the proposal would have social and economic benefits.
16. However, the significant harm to the character and appearance of the area, which would be an adverse impact of the development at odds with the development plan and the Framework, would significantly and demonstrably outweigh its limited benefits, when assessed against the policies in the Framework taken as a whole. Accordingly, this is not a point that suggests the appeal should be determined other than in accordance with the development plan.

Other Matters

17. Local residents have expressed concerns about surface water flooding. However, given my decision to dismiss this appeal, it is not necessary to consider this matter any further.

Conclusion

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

Christopher Miell
INSPECTOR