
Appeal Decision

Site visit made on 2 December 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2020

Appeal Ref: APP/K3605/W/19/3236098

370B Walton Road, West Molesey, Surrey KT8 2JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Martin O’Leary against the decision of Elmbridge Borough Council.
 - The application Ref 2019/1550, dated 31 May 2019, was refused by notice dated 12 August 2019.
 - The development is a proposed change of use of the existing rear part of the building that currently provides a vacant single-storey storage area and a garage to provide a 1 person, 1 bed flat providing 40sq.m of accommodation.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appeal application is for permission in principle, as provided for in the Town and Country Planning (Permission in Principle) Order 2017. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical detail. Planning permission does not exist unless both the permission in principle and the technical details are approved. This appeal relates to the first of these 2 stages.

Main Issue

4. The scope of the considerations in a permission in principle is limited to location, land use and amount of development. With reference to this and to the Council’s reasons for refusing the application, the main issues are the effects of the proposed development’s location and the amount of development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal property, which is currently used for storage, is a single storey building located to the rear of 370 Walton Road and is accessed by a narrow service road off Grange Road. The two-storey terrace of properties fronting

Walton Road feature a mix of ground floor commercial uses with residential accommodation above. Other uses to the rear of this section of Walton Road mostly include gardens, parking, single storey storage areas/ garages and refuse storage. The prevailing style of development to the south and west of the appeal property is residential, with two-storey semi-detached houses and short terraces of dwellings along Grange Road.

6. It is not disputed that the principle of residential use in this general area is acceptable. However, the conversion of the single storey building to residential use in this location at the rear of Walton Road, would harmfully contrast with the surrounding pattern of residential development which is generally focussed around road frontages in a linear pattern. Whilst it is acknowledged that there is an existing conversion of a single storey storage area/ garage along the same service road, that is more discreet as it is located at the end of the service road, does not project as far forward as the appeal property and is well screened from views by high fencing.
7. The appellant has provided details of a number of other examples of 1 bed properties above and to the rear of shops along Walton Road, including the subdivision of an existing flat at No 212 Walton Road, and I viewed some of these examples during my site visit. It is clear that there are a range of different size dwellings in the area, some to the rear of other buildings, but with regard to my consideration of the location of the proposal, the examples do not form part of the immediate setting of the appeal property's location and are therefore not directly comparable.
8. In terms of the amount of development, the Council suggest the density of the proposal is excessive as the site is too small. However, in my view the reference to amount in the PPG refers to the number of units, not their size, as elsewhere in the guidance it advises that were permission in principle granted, the decision notice must state the amount of development in terms of the net number of dwellings. Notwithstanding my considerations on its location above, I have no evidence before me to suggest that the proposed single dwelling would constitute an amount of development that would have a harmful effect on the character of the area.
9. Nonetheless, in respect of its location, I conclude that the proposed development would in principle have a harmful effect on the character and appearance of the area. It would therefore be contrary to Policy CS17 of the Elmbridge Core Strategy (July 2011) which seeks, amongst other things, development that will improve local character.

Other Matters

10. It is acknowledged that there are a number of positive aspects of the proposed development such as the efficient use of land and the sustainable location of the appeal property being close to a local centre. The proposal would also add a further dwelling to the housing stock in the area which would be a modest benefit. I have also had regard to the letter of support from a nearby business for the proposed development. However, these considerations do not change my findings on the main issue.

Conclusion and Recommendation

11. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR