



Appeal Decision

Site visit made on 10 November 2020

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 19/11/2020

Appeal Ref: APP/C3620/D/20/3257149

44 The Park, Bookham, Leatherhead, Surrey KT23 3LS

- 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 Willingale against the decision of Mole Valley District Council.
 - The application Ref: MO/2020/0485/PLAH dated 12 March 2020, was refused by notice dated 10 June 2020.
 - The development is new carport.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing dwelling and local area, and
 - b) The effect of the proposal on the living conditions of the neighbours at No 42 The Park, with particular regard to outlook.

Reasons

Issue a) Character and Appearance

3. The appeal property is a large detached dwelling set back from the front boundary, with most of its amenity area to the front of the property. The proposal would introduce a detached three bay garage / car port under a hipped roof within the front garden area, sited towards its southern boundary.
4. The detached houses of individual design on good sized plots, on both sides of the road, are varied in their siting but are generally set back from the road frontage with generally planted and landscaped front gardens. I am advised that the site is situated within a Residential Area of Special Character and the verdant character and appearance of the individual plots and the local area contribute to its local distinctiveness.
5. The proposal would introduce a large structure, both in terms of its footprint and its height into the open front garden. Its siting well away from the house, together with its scale, would mean that it would appear as a separate and visually over prominent structure, unrelated to the existing property.

6. The majority of the houses in the vicinity of the appeal site do not have garages or structures forward of the main dwellings and encroaching into the front garden areas. There are a small number of exceptions, including those to which my attention has been drawn by the Appellant. However, most of these, are sited much closer to the property within an individual plot and do not therefore dominate the front garden area. They do not compare therefore with the proposal before me. Given its siting and scale, including its height, it would be visually over prominent and intrusive in street scene views and detract from the predominant pattern of development and local distinctiveness.
7. I therefore consider that the proposal would harm the character and appearance of the appeal property and local area. This would conflict with the National Planning Policy Framework (Framework) and in particular Section 12, Policy CS14 of the Mole Valley Core Strategy (Core Strategy) and Policies ENV17, ENV22 and ENV23 of the Mole Valley Local Plan (Local Plan) all of which seek, amongst other things, a high quality of design that respects the local context and local distinctiveness.
8. Although not referenced in the Council's refusal notice, The Council has referred to the Bookham Neighbourhood Development Plan. I agree with the Council that the proposal would also conflict with Policy BKEN2 of this Plan which also seeks for good quality design which respects the character and appearance of the local area.
9. I have noted that The Park & Park View Protection Association Limited raised no objection to the proposal, although a number of objections were received at the application stage, including from The Bookhams Residents' Association. I have taken these into account in my determination of the appeal, but my decision is based solely on the planning merits of the case.

Issue b) Living Conditions

10. No 42 The Park to the south of the appeal property sits further forward in its plot but is set in from its side boundary together with a footpath running between the two dwellings. I understand that the northern side of the property provides a patio amenity area for the residents at No 42.
11. I acknowledge that the neighbours at No 42 would be able to see part of the proposed garage, given its proposed height and siting. However, given the distance between the two including the intermediate footpath, boundary treatments and mature trees alongside the footpath, I am not persuaded that their outlook would be materially affected. I also agree with the Council that there would be no material impact in terms of overlooking or loss of privacy or loss of light and overshadowing as a result of the siting and form of the proposal in relation to the neighbouring property.
12. I am therefore satisfied that the living conditions of the neighbours at No 42 would not be materially affected as a result of the proposal. There would be no conflict with Policy 22 of the Local Plan as well as the Framework, and in particular Paragraph 127, criterion f), both of which seek to protect the amenities of existing and future residents.
13. However, my finding on this issue does not outweigh the harm I have concluded under my first issue.

Conclusion

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

L J Evans

INSPECTOR