



Appeal Decision

Site visit made on 9 October 2020

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14/01/2021

Appeal Ref: APP/C3620/W/20/3249268

Bellsgrove Nursing Home, 250 Cobham Road, Fetcham KT22 9JF

- 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 Logathas, Bellsgrove Residential Home against the decision of Mole Valley District Council.
 - The application Ref MO/2019/2002/PLA dated 11 November 2019, was refused by notice dated 7 January 2020.
 - The development proposed is described as first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the area and the existing property. (ii) the living conditions of occupants of neighbouring properties; and (iii) highway safety by way of parking arrangements.

Reasons

Character and Appearance

3. The appeal site is situated within a predominantly residential area with ground floor commercial units adjacent. The proposed development would be situated at the rear of the property above an existing large single storey rear projection. The existing property is of no particular architectural merit.
4. The property has been extended historically, notwithstanding this the proposed development would introduce a substantial first floor extension close to the boundary with a neighbouring property (252 Cobham Road).
5. The proposed development due to its scale would be dominant and incongruous with the surrounding properties and would be a disproportionate addition to the existing property. Whilst it is proposed to use material which would match the existing property this would not alleviate the overbearing form of the proposed development.
6. I conclude that the development would have an unacceptable effect on the character and appearance of the area and the existing property. There is conflict with Policies ENV22, ENV23, ENV24 and CF2 of the Mole Valley Local

Plan (2000) (the Local Plan) which seek amongst other things to resist poor quality of design, by ensuring development integrates with their surroundings, respects the site, character and appearance of the locality.

Living Conditions

7. The rear of the appeal site shares its boundaries on all sides with adjacent properties. The proposed development would not be closer to the boundary which is shared with 252 Cobham Road. It is noted that the asymmetrical design of the development attempts to reduce the mass of the proposed development. Nevertheless, the built form, would be overbearing to the neighbouring bungalows 252 and 254 Cobham Road.
8. The proposed first floor dormer windows serving three bedrooms facing 252 Cobham Road would result in direct overlooking over the majority of the rear garden, and that of 254 Cobham Road. For the occupiers of these properties this would create a sense of being under surveillance and to my mind would significantly diminish the enjoyment of their properties.
9. The Appellant has suggested that overlooking from the first floor windows could be controlled by a planning condition to ensure these windows would be obscurely glazed and non-opening. However, this would not alleviate the perception of overlooking and loss of privacy, nor would it provide suitable living conditions for occupants of the residential home.
10. The relationship the proposed development would have with regard to the living conditions of the occupants of 8 Shamrock Close and 248 Cobham Road were not identified by the Council as problematic, I have no substantive evidence before me to disagree with their findings.
11. Notwithstanding this I conclude that there would be harm to the living conditions of occupants of neighbouring properties, specifically 252 and 254 Cobham Road. There is conflict with Policies ENV22 and CF2 of the Local Plan which seek amongst other things to protect the living conditions of occupiers of neighbouring properties.

Highway safety

12. The site has a large area of hard standing to the front of the property used for car parking. Policy MOV5 of the Local Plan is clear that parking standards will be applied as maxima having regard to a number of factors. The parking standard for the proposed development would be 9 car parking spaces, 1 per 2 residents.
13. I note parties suggest that between 5-7 cars could be accommodated on the site, however from my site visit it was difficult to evaluate how these could be provided within the site given the irregular shape, front boundary wall and limited space for manoeuvrability.
14. Whilst a large expanse of hard standing is available no substantive details have been provided to demonstrate the existing car parking layout to ascertain the precise shortfall in parking spaces the proposed development would generate. Though there is unrestricted on-street car parking available in the area, the amount of on-street car parking associated with the site is not known, nor any details provided with regard to alternative modes of transport available. On this

basis I am not convinced that the proposed development would provide satisfactory parking provision.

15. I conclude that the development would have an unacceptable effect on highway safety by way of inadequate parking arrangements contrary to Policies MOV5 and CF2 of the Local Plan which seek to promote sustainable transport, and ensure there is adequate parking standards.

Other Matters

16. The Appellant has provided information from the Care Quality Commission and drawn my attention to the need for additional care home accommodation, nonetheless this would not outweigh the harm I have identified in respect of character and appearance of the area, living conditions for the occupants of the neighbouring properties or highway safety.
17. My attention has been drawn by the Appellant to other developments granted planning permission. The Appellant considers these to be similar developments. Whilst I have not been provided with full details of each case; I do note that these would not have similar relationships with the surrounding properties, are not of an equivalent scale and therefore are not directly comparable in terms of development proposals. Notwithstanding this each proposal must be considered on its individual merits, and that has been the basis of my assessment in respect of this proposal

Conclusion

18. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR