

Appeal Decision

Site visit made on 8 June 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2021

Appeal Ref: APP/C3620/W/21/3268216

Glendell, Pilgrims Way, Westhumble RH5 6AP

- 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 and Mrs Montalto Monella against the decision of Mole Valley District Council.
 - The application Ref. MO/2020/2230/PLAH, dated 2 December 2020, was refused by notice dated 1 February 2021.
 - The development proposed is for the erection of a pre-fabricated timber car shelter for two cars.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a pre-fabricated timber car shelter for two cars at Glendell, Pilgrims Way, Westhumble RH5 6AP, in accordance with the terms of the application Ref. MO/2020/2230/PLAH, dated 2 December 2020, subject to the conditions set out below:
 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 approved plans: site location plan, plan of location of carport and Artemis Chunky Gazebo plan and elevations.
 3. The front, side and rear elevations of the carport hereby permitted shall not be infilled without planning permission having been first obtained.

Procedural Matter

2. The description of proposed works as set out within the planning application form goes into significant detail to explain the scheme, for the benefit of brevity I have used the description as set out within the Council's decision notice, as set out above. I have determined the appeal on this basis.

Main Issue

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

Reasons

4. The appeal site is located within a private residential estate largely comprising detached dwellings set in generous plots. It is arcadian in its appearance, although

distinctly developed in comparison to the wider Surrey Hills AONB landscape that surrounds it, forming part of the 'smaller rural village' of Westhumble.

5. In terms of the lay of the land, the appeal site slopes down from the road with the parking area over which the car shelter would be erected being lower than and partially screened by soft landscaping: the hedging to its north eastern and north western sides which bounds a raised lawn area, in addition to a mature Cedar tree within the grounds of Stane Bank also to the north west. Whilst I note that Glendell is sited quite close to the junction of Pilgrims Way with Pilgrims Close, by virtue of the aforementioned topography and vegetation, I consider that it is not in an unduly prominent position.
6. Therefore taking into account the lower ground upon which the carport would be sited, the limited height of the proposed structure and its lightweight form of construction, I consider that it would appear as a minor incidence in the street scene. Consequently it would not give rise to undue prominence at the expense of the character and setting of the house, in compliance with the Council's supplementary design guidance for house extensions. I have had regard to the examples cited by the parties, although ultimately each case must be assessed upon its own merits and granting this proposal does not set a precedent for other proposals in the future.
7. With regard to the site's location within the AONB, bearing in mind it falls within an established settlement, overall any impacts upon its character would be minimal. Consequently I consider that the landscape and scenic beauty of the AONB would be conserved, pursuant to paragraph 172 of the National Planning Policy Framework.
8. Therefore in summary I consider that the proposal would protect the character and appearance of the area and complies with policies CS13 and CS14 of the Mole Valley Core Strategy (2009) and policies ENV22, ENV23 and RUD9 of the Mole Valley Local Plan (2000) which together require all new development to respect and enhance the character of the area in which it is proposed, taking into account its scale, bulk, proportions and materials, whilst ensuring that ancillary domestic buildings are not excessive in size having regard to the size of the dwelling that they are to serve, this is in addition to ensuring that the landscape character of the Surrey Hills AONB is protected.

Conclusion and Conditions

10. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
11. Other than the standard time limit condition, the Council recommends that a condition is imposed that requires the development to be carried out in accordance with the approved plans; this along with a further condition preventing the infilling of the elevations of the carport I consider necessary, in the interests of the character and appearance of the area. However it would be unreasonable to impose a condition requiring the materials to be used in the construction of the external surfaces of the development to match those of the host building due to the fact that Glendell is built from different materials to those proposed for the car shelter.

C J Tivey INSPECTOR