



Appeal Decision

Site visit made on 11 January 2023

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2023

Appeal Ref: APP/P3610/W/22/3301744

Brackenlee, Woodcote Side, Epsom, Surrey, KT18 7HJ

- 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 Rajanpal Khuman against the decision of Epsom and Ewell Borough Council.
 - The application Ref 22/00189/FLH, dated 8 February 2022, was refused by notice dated 29 April 2022.
 - The development proposed is erection of outbuilding comprising granny annexe (for ancillary use) and recreation rooms (for incidental use) to main house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The proposed building would be a large outbuilding located at the foot of the garden. Although one storey would be sunken into the ground, the outbuilding would still have a ridgeline to match the existing house, despite the significantly lower ground level at the foot of the garden. The size of the outbuilding would be uncharacteristic in the surrounding area, where no similarly sized outbuildings are visible from the appeal site. It would be a prominent and incongruous presence when seen from neighbouring properties. This would include houses in Oakmead Green to the rear of the site, as the construction of the outbuilding would involve the removal of the substantial established planting along the rear site boundary.
4. The appellant notes that a single-storey outbuilding of larger footprint could be constructed under the property's permitted development rights. This may be the case, but such a building could not be as tall, as outbuildings located within 2 metres of the curtilage are restricted to no more than 2.5 metres in height, where the proposed outbuilding would be more than 6 metres to the ridge. This consideration therefore attracts limited weight in my determination of this appeal.
5. I recognise that the proposed development would allow the appellant to provide improved accommodation for their family with less disruption than extending the house. However, this would principally be a private benefit, and

does not outweigh the harm that would arise from the uncharacteristic scale of the development.

6. The proposed outbuilding would be harmful to the character and appearance of the area because of its size and siting. It would therefore conflict with Policy CS 5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015. Taken together these require that development reinforce local distinctiveness and respect, maintain or enhance the prevailing development typology.

Other Matters

7. I note the appellant's concerns about the Council's handling of the planning application. However, this falls outside of my authority to address, and is not a consideration in my determination of this appeal.

Conclusion

8. There are no material considerations to lead me to determine this appeal otherwise than in accordance with the development plan. Accordingly, the appeal fails.

M Chalk

INSPECTOR