



Appeal Decision

Site visit made on 23 March 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/Y3615/W/22/3311481

La Ruana, Lynx Hill, East Horsley, Leatherhead KT24 5AX

- 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 Marcus Gray against the decision of Guildford Borough Council.
 - The application Ref 22/P/00227, dated 8 February 2022, was refused by notice dated 1 September 2022.
 - The development proposed is a single-storey detached single garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Guildford Borough Council adopted the Guildford Local Plan: Development Management Policies (LPDMP) on 22 March 2023. The Council advise that policies G1 and G5 of the Guildford Borough Local Plan 2003 cited in the decision notice have been replaced by LPDMP policies D5 and D4, respectively.
3. Both main parties have had the opportunity to comment on any relevant implications for the appeal and I have had regard to the LPDMP in my considerations of the appeal.

Main Issue

4. The main issue is the effect of the development on the host property and the character and appearance of the area.

Reasons

5. Lynx Hill is a private road with large, detached properties set back from the road. La Ruana is reflective of this form and is positioned on higher ground with an open garden and driveway to the front and a retaining wall along the front boundary.
6. The property extends across the width of the plot with the main two-storey element to the western side, to the other side is a lower section which appears to have originally been a double garage, but which has been converted and has an upper floor with dormer windows.
7. The proposal would locate a garage directly in front of the property on part of the existing area of hardstanding. Planning permission was granted on appeal

in 2020¹ for a garage, however, that was to be attached to the front of the property to the west side projecting forward. In contrast, the proposed garage would be detached and orientated with the door towards the east and whilst slightly angled, at 7m it would extend across the entire frontage of the main part of the property.

8. The appellant has drawn my attention to garages to other properties nearby and while there are a few examples of forward projections they are not directly comparable, being either attached to the property or offset to the side. Nor do they obscure views of the entrance or a significant proportion of their host property.
9. The siting of the properties along Lynx Hill varies with the individual form and design being part of the character. Together with the interspersed vegetation a formal building line is not visually discernible. Moreover, in my view, it is the consistency of a generous setback and the open nature of the frontages, rather than the specific distance, which contributes to the appearance of the area. Whilst trees and hedges along the edge of the road do screen some of the frontages a sense of spaciousness and a lack of built form within the front gardens is maintained.
10. The proposal would disrupt this prevailing pattern of development and the siting of the garage would be contrary to the advice within the Council's Residential Extension and Alterations Supplementary Planning Document (SPD) which indicates that garages should be sited to the side or rear of the property behind the building line. I acknowledge that exceptions can be acceptable and that the previous scheme was found on appeal not to adversely affect the character of the area. Nonetheless, that was for a different siting and orientation and that scheme has now time expired. In this case, I find due to the scale and location of the proposed garage it would be a dominant feature, visually harmful to the appearance of the host property and its relationship with the street scene.
11. The design and materials of the garage would be appropriate for the setting and the layout would not require an extension of the driveway, unlike the previously approved scheme, however, these are not matters which outweigh the identified harm.
12. In conclusion, the proposal would be out of keeping with the character and appearance of the area and harmful to the setting of the host property. It would therefore conflict with LPDMP policies D4, policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2019 and the SPD. Together these policies seek a high-quality design that is in keeping with and makes a positive contribution to local character and achieves the characteristics of well-designed places.

Other Matters

13. LPDMP policy D5 relates to the protection of the amenity for existing residents. The Council found that the proposal would not have an adverse impact on the neighbours' amenities, and I have no reason to disagree. Thereby I find no conflict with policy D5.

¹ APP/Y3615/D/19/3237542

Conclusion

14. For the reasons set out and having regard to all other matters raised the appeal is dismissed.

G Ellis

INSPECTOR