

# Appeal Decision

Site visit made on 2 August 2023

**by Elizabeth Lawrence BTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 22<sup>nd</sup> August 2023**

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**Appeal Ref: APP/K3605/D/23/3323975**

**The Coach House, Elgin Road, Weybridge, KT13 8SW**

- 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 Ms A Colenzio against the decision of Elmbridge Borough Council.
  - The application Ref 2023/0660 dated 3 March 2023 was refused by notice dated 28 April 2023.
  - The development proposed is described as a carport canopy.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of a car port canopy at The Coach House, Elgin Road, Weybridge, KT1 8SW in accordance with the terms of the application, 2023/0660 dated 3 March 2023, subject to the conditions set out in the schedule attached to this decision.

## Preliminary matter

2. The description of the development on the appeal form and council's decision notice contains a typographical error referring to "car port" rather than "carport" as stated on the application form and drawing. As this is a minor detail that does not affect the merits of the scheme, in the interests of consistency I rely upon the spelling set out on the application form and submitted plan in this decision.
3. Whilst the submitted elevations plan states that the proposed carport would have a plain tiled roof, the planning application form states that the roof would be clad with green coloured asphalt felt shingles. The appellant has confirmed that the roof would be clad with green asphalt felt tiles and the appeal has been dealt with on this basis.

## Main Issue

4. The main issue is the effect of the scheme on the character and appearance of the host dwelling and the surrounding area.

## Reasons

5. Bowes Road is characterised by a mixture of houses, bungalows and flats from a broad range of designs and materials. The dwellings are set back from the road behind varied sized and partially soft landscaped gardens. These gardens are typically enclosed by a mixture of hedges, fences and walls of varied
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heights. There is an abundance of trees within the front and rear gardens and abutting the back edge of the pavements. These features together with the planting within the verges, contribute to the informal and verdant suburban character and appearance of the street scene and the locality.

6. The Appeal property is located at the western end of Elgin Road and is flanked on one side by a modern two and half storey terrace with a mansard roof facing the street scene and truncated gables to the side. They have integral garages and their front gardens are primarily hard surfaced with side hedges and borders between pairs of dwellings. On the other side of the appeal site is a traditionally designed two storey family dwelling (Conkers), that occupies a generous sized and mature landscaped plot.
7. Contrary to the prevailing pattern of development along the road, the appeal dwelling is situated at the rear of its deep plot and to the rear of the adjacent dwellings. The dwelling occupies an irregular shaped plot that narrows towards the road and there is a long narrow driveway between the crossover and the dwelling. The dwelling's main private garden area is to one side of the dwelling and along the eastern side of the driveway. There is a large parking area located a short distance back from Elgin Road that is largely screened from the street scene by tall fencing, mature shrubs and trees situated along the front and side boundaries of the site.
8. Together and amongst other things paragraph 130 of the National Planning Policy Framework (the Framework), policies CS4 & CS17 of the Elmbridge Core Strategy 2011 (CS) and policy DM2 of the Elmbridge Local Plan Development Management Plan 2015 (DMP), seek to ensure that new development achieves high quality design, responds to the positive features and should preserve or enhance the street scene and local character.
9. The Elmbridge Design and Character Supplementary Planning Document – Home Extensions (SPD) advises that garages are usually better set back from the face of the dwelling and the siting of large garages in front of houses should be avoided.
10. In the vicinity of the appeal site there are numerous integral and attached garages and on-site parking areas. Whilst outbuildings are not a feature within Elgin Road, the limited depth of most of the front gardens restricts the ability to accommodate outbuildings that can be set back from the highway, without being close to the front of the dwellings. Conversely, there is a dwelling a short distance to the east of the appeal site, which has an uncharacteristic deep front garden with a detached garage within it. This garage is set back from the highway a similar distance to the proposed carport.
11. The proposed carport would occupy a spacious position within the large front garden. It would be located over the existing parking/turning area towards the front of the site and approximately seven metres from the highway. The carport would be open sided and would comprise a European Redwood and Oak frame under a shallow pitched roof, clad with felt shingles. The carport would be set into the slope of the land and would be some 0.6 metres below the adjacent ground level to the rear. Its largely open gable end would face towards the road and would be partially screened from the road by the front and side boundary fencing and planting.

12. The proposed carport would be sited on the existing concrete raft parking area and the existing hedging and tree to the south would be separated from the development by a raised wall, as shown on drawing No. TPP/APA/AP/2023/032. The planting along the eastern boundary would sit at a higher level and the planting to the west would be separated from the development by the existing gravel driveway. As a consequence, subject to suitable protection measures during the construction period the proposal would not have a materially adverse impact on the health of the nearby hedging and trees, including the trees within the curtilage of Conkers, which are the subject of a Tree Preservation Order.
13. As stated by the council the protection and retention of the existing hedging and trees is a matter that could be secured by condition. This is something that would be necessary given the importance of this soft planting to the character and appearance of the area. However, the suggested conditions require the protection of all trees, hedges and hedgerows on the appeal site. I consider that this is excessive and unreasonable as it includes planting that is not physically related to the carport and its screening. Instead, I propose to restrict it to trees, hedges and hedgerows within 10 metres of the proposed carport. The soft planting within this distance would provide a green setting and would partially screen the carport from the street scene.
14. As a result of these factors, the proposed carport would be largely screened in views from the street scene. Where it could be glimpsed it would appear as a modest and lightweight garden outbuilding, within a mature landscaped setting. It would not intrude into views of the host dwelling and would maintain the verdant suburban character of the locality.
15. Finally, the council has also suggested the imposition of conditions relating to the proposed materials and adherence to the submitted drawings. These conditions are necessary to protect the character and appearance of the host property and the surrounding area, and in the interests of certainty. I have however slightly amended the suggested wording of some of the conditions in the interests of precision and enforceability.
16. I conclude that the proposal would respect the character and appearance of the host dwelling and the surrounding area. Accordingly, it would comply with CS Policies CS4 & CS17, DMP Policy DM2, the SPD and paragraph 130 of the Framework.

*Elizabeth Lawrence*

INSPECTOR

### **Conditions schedule**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ER/TCH/01 Revision B and TPP/APA/AP/2023/032.

- 3) Prior to the commencement of the development hereby permitted, a plan showing where all plant, vehicles and materials will be stored during the construction of the proposed carport shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details, with no storage or parking taking place outside the areas shown on the approved plan.
- 4) No development including groundworks and demolition and no equipment, machinery or materials shall be brought onto the site for the purposes of the development hereby permitted unless all tree protection measures shown on drawing No. TPP/APA/AP/2023/032 are in place and they shall be maintained as such during the construction of the development hereby permitted. The development thereafter shall be implemented in strict accordance with the approved details and paragraphs 4.3 to 4.12 of the method statement contained the Arboricultural Report Reference APA/AP/2023/02 dated 24 February 2023, prepared by AP Arboriculture.
- 5) All existing trees, hedges or hedgerows within 10 metres of the carport hereby permitted shall be retained and paragraphs (a) and (b) below shall have effect until the expiration of five years from the first use of the carport hereby permitted.
  - (a) No retained tree, hedge or hedgerow within 10 metres of the carport hereby permitted shall be cut down, uprooted or destroyed.
  - (b) If any tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of a similar size and species shall be planted in the same place, in the next available planting season or sooner.
- 6) The development hereby permitted shall not be built other than in the following materials: European Redwood and Oak frame, green asphalt felt shingle roof, concrete hardstanding, Anderson A2- wood and metal electric vehicle charging point or such other materials that have first been approved in writing by the local planning authority.