



Appeal Decision

Site visit made on 9 July 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2024

Appeal Ref: APP/Y3615/W/24/3338117

Old Pastures, Edwin Close, West Horsley KT24 6LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by IDL against the decision of Guildford Borough Council.
 - The application Ref is 21/P/02695.
 - The development proposed is the removal of an existing hedge and garden shed. The Erection of a new garden office and reinstatement of hedge with semi mature purple beech (*Fagussylvatica Purpurea*) hedge planted at 350 mm centres (approx 8-10 years old).
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Decision

1. The appeal is allowed and planning permission is granted for the removal of an existing hedge and garden shed. The erection of a new garden office and reinstatement of hedge with semi mature purple beech (*Fagussylvatica Purpurea*) hedge planted at 350 mm centres (approx 8-10 years old) at Old Pastures, West Horsley, Leatherhead, KT24 6LW in accordance with the terms of the application, Ref 21/P/02695, and the plans submitted with it, subject to the following condition:
 - (1) Within 3 months of the date of this decision, a landscape management plan shall be submitted to and approved in writing by the local planning authority. This shall contain detailed measures to secure the maintenance and retention of the reinstated hedgerow shown on approved drawing reference: 2335-IDL-NA-ZZ-DR-A-11001 Revision 3-00, including for the replacement of any part of the hedge that is removed, dies or becomes seriously damaged or diseased, within the next planting season with hedgerow plants of a similar size, species and number. The landscape management plan shall be carried out as approved.

Preliminary Matters

2. The application form states the development was completed on the 17 December 2021. During my visit, I noted that the building was complete and an established hedge had been planted along the boundary. This has been bolstered with additional planting since the application was determined. I have therefore considered the appeal on the basis that the development has already taken place.
3. The Council has confirmed that subject to a condition requiring the permanent retention of the hedge, they would be satisfied that the development would be acceptable. The appeal will continue to be determined to consider the concerns

raised by interested parties, based on the grounds identified in the decision notice.

Main Issues

4. The main issues are the effect of the development on:

- The character and appearance of the area; and
- the living conditions of the occupiers of Charen and Corner Cottage, with reference to outlook.

Reasons

Character and appearance

5. The appeal site is located on the corner where the cul de sac of Edwin Close meets Edwin Road. The area is verdant with verges and hedgerows characterising the street scene. The length of Edwin Road is lined by tall hedgerows on either side of the road, obscuring views of the properties along the road. Old Pastures has a spacious corner plot and is set away from the boundary with Edwin Road.
6. The office has been erected in the corner of the garden of Old Pastures, where Edwin Road joins Edwin Close. It is a single-storey building that has a substantially smaller footprint than the dwelling, and has been designed and constructed to a high standard. Hence, it does not visually overwhelm the existing property. Furthermore, despite being forward of the dwelling and building line within Edwin Close, the office is positioned to its side behind a close boarded fence. It is also enclosed by well-established hedgerows to both roads that are akin to the prevailing characteristics of boundary treatments within the locality. The office, including its metal cladding, and wire training fence for the hedge are neither prominent nor incongruous in views from Edwin Road, or when entering or situated within Edwin Close. Rather, the development has assimilated well within its surroundings and the addition of evergreen Laurel hedgerow plants amongst deciduous Beech plants will ensure the provision of all year foliage cover.
7. For the reasons identified above, I conclude that the development does not have a harmful effect on the character and appearance of the area. The development therefore complies with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034¹ (LPSS), Policies H4 and D4 of the Guildford Borough Local Plan: Development Management Policies March 2023² (LDMP), Policy WH2 of the West Horsley Neighbourhood Plan 2016-2033³ and Chapter 12 of the National Planning Policy Framework (the Framework) insofar as they seek to achieve good design that respects the character of the immediate surrounding area.
8. The Residential Extensions and Alterations SPD 2018 is referred to, however, this document does not specifically address outbuildings, and therefore does not assist in the determination of this appeal.

¹ Adopted 25 April 2019 and updated 22 March 2023

² Adopted 22 March 2023

³ Adopted December 2018

Living Conditions

9. Charen is located opposite the site in Edwin Close. Corner Cottage is positioned on the opposite side of Edwin Road facing the side boundary of the site. Both properties are separated from the appeal site by the highway.
10. During my visit I noted that the garden office was not visible from Charen or Corner Cottage due to the tall well-established hedge that wraps around the boundary of the site. The only view of the garden office is over the fence between it and the dwelling, which reduces its prominence. Accordingly, the garden office would not appear visually dominant from any nearby properties, particularly Charen or Corner Cottage.
11. For the reasons identified above, I conclude that the development does not have a harmful effect on the living conditions of the occupiers of Charen and Corner Cottage, with reference to outlook. The development therefore complies with Policy D5 of the LDMP, Chapter 12 of the Framework and the Residential and Extensions and Alterations SPD 2018, insofar as they require development to have an acceptable impact on the living environment of existing residential properties.

Other Matters

12. I have considered the argument by interested parties that the grant of planning permission would set a precedent for other similar developments. However, no directly similar/comparable sites to which this might apply have been put forward. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature, including that others may erect structures without planning permission, does not justify withholding permission in this case.
13. I have been referred to the absence of consultation by the appellant with neighbours regarding the proposal. While the Framework stresses the benefits of early engagement, the absence or limited nature of consultation with members of the community is not a reason to dismiss the appeal.

Conditions

14. Given that the garden office has already been erected, the condition requiring the development to be carried out in accordance with the approved plans is not needed.
15. The Council has suggested a condition requiring the retention of the hedge. The proposed condition does not say the height the hedge needs to be retained to. An alternative condition is therefore proposed requiring the submission of a landscaping scheme, which would secure the maintenance and retention of the hedge to secure the desired aim. This is deemed necessary in the interests of safeguarding the character and appearance of the area and the outlook from nearby properties.

Conclusion

16. For the reasons given above the appeal should be allowed.

V Goldberg

INSPECTOR