



Appeal Decision

Site visit made on 14 January 2025

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2025

Appeal Ref: APP/C3620/W/24/3347086

296 Lower Road, Bookham, Surrey KT23 4DW

- 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 Miss Rosie Absalom of E.A. Developments Ltd against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/0501.
 - The development proposed is described as the erection of a detached bungalow following demolition of the existing detached garage.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a detached bungalow following demolition of the existing detached garage at 296 Lower Road, Bookham, Surrey KT23 4DW in accordance with the terms of the application, Ref MO/2024/0501, subject to the conditions in the attached schedule.

Preliminary Matters

2. Since the Council issued its decision on the planning application, the new Mole Valley Local Plan (MVLP) 2020-2039 has been adopted on 15 October 2024. As such, I have taken it into account in my decision. In regard to this appeal the Council have clarified the relevant MVLP policies are S1, S2, H1, H2, H9, H10, EN4, EN9, INF1 and INF2. The appellant has had the opportunity to comment on these new policies.
3. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. There are no changes that are material to the scheme before me, thus no further comments were sought by parties. Consequently, I have determined the appeal having regard to the revised Framework, and any references are to this version.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

5. MVLP policy S1 is a strategic policy that relates to the management of sustainable growth within the borough, and directs development, including the delivery of new homes to more built-up locations such as Leatherhead and Dorking. However, the policy also identifies that a proportion of new housing will be delivered in

alternative areas including 7% within the Bookham area, providing that new development contributes to local character.

6. This is continued in MVLP policy ENV4 which indicates that all new development must be of high-quality design that makes a positive contribution to its local character. All development proposals must demonstrate a thorough understanding of the site and how they relate to the existing area. Policy BKH2 of the Bookham Neighbourhood Plan (NP) 2016-2026 further highlights that infill and garden development must respect its context and the green and open character of its surroundings and reflect the prevailing character of the immediate locality.
7. The appeal site currently consists of a two-storey dwellinghouse and associated garage fronting Lower Road in Bookham. The donor property is a traditional Arts and Crafts style detached brick-built property set back from the roadside in a generous plot. The surrounding area is mainly residential with a large recreational park located opposite the site.
8. There is some variety in terms of the design and materiality of the dwellings in the locality, however there is a strong spatial rhythm and pattern, providing a traditional appearance of properties with front gardens and longer gardens to the rear. The current proposal seeks a denser form of development to provide a 3 bedroomed bungalow along with associated car parking, bin and cycle storage and landscaping works within the same site area.
9. The single storey appearance would be more subservient to the predominantly two-storey nature of the existing dwellings, thus providing a relatively low-level building height and built form, whilst still maintaining residential space standards. It is acknowledged that the footprint of the proposal is larger than the donor property and would also be larger than the predominant footprints of the existing properties in the vicinity. However, it is predicated on the basis that the accommodation is single storey only. Furthermore, given the generous rear garden dimensions the proposal would not appear unduly cramped. Whilst not commensurate with the larger rear gardens that are evident along Lower Road, the proposal would provide adequate garden spaces to maintain a sufficient size garden for the donor property and to provide a reasonable standard of amenity for future occupiers of the bungalow.
10. The positioning of the proposed dwelling at the rear of the appeal site, tucked in behind the rear boundaries of the properties fronting Lower Road and Sole Farm Avenue, would provide a discreet siting, difficult to view from wider vantage points including Sole Farm Avenue itself or the alleyway linking it to Lower Road. Furthermore, this type of back land location is not an uncommon feature within the locality, as there are similar developments in close proximity to the appeal site, which include 7 dwellings at 242 Lower Road¹; an infill back land detached bungalow at 186 Lower Road²; and 25 dwellings at the former Preston Farm Stables³ also in Lower Road all granted permission by the Council. As such, the back land proposal would not be considered cramped or out of keeping in this regard.

¹ Mole Valley Planning Ref: MO/2022/1169

² Mole Valley Planning Ref: MO/2022/1978

³ Mole Valley Planning Ref: MO/2017/1323

11. Given the location and relationship with other development nearby, the proposal would satisfactorily integrate into its surroundings. Accordingly, the proposed development would not have an adverse impact on the character and appearance of the area and would accord with the relevant requirements of policies S1, H1, H2, H9, H10, ENV4 and ENV9 of the MVLP and policies BKH2 and BKEN2 of the Bookham NP, which among other things, collectively require windfall developments in sustainable areas to be of a high-quality design and make a positive contribution to the local character. The proposal would also accord with the provisions of the Framework which amongst other things, seeks to secure high quality designs that are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change including increased densities.
12. I also find no conflict with MVLP policies INF1, INF2 and S2. Whilst these relate to transport, infrastructure, parking and combatting the climate emergency and are important factors, I have taken those policies into account which relate specifically to the matters arising from the main issue subject to this appeal, which is the effect of the proposal on the character and appearance of the area.

Other Matters

13. The Framework highlights the Government's objective to significantly boost the supply of housing. The proposal for a new dwelling in a relatively sustainable location, would provide a modest benefit towards the Council's housing stock and given it is a small site, could be brought forward relatively quickly.
14. The proposal would also provide benefits such as employment opportunities during the construction phase and the benefits that future residents could bring in accessing and supporting local services. Whilst I recognise these benefits, given its small scale the proposed development would make only a modest contribution to the Councils housing supply, and accordingly I attach only limited weight to the benefits it would provide.

Conditions

15. The Council has provided a list of suggested conditions that it considers would be appropriate which have been agreed by the appellant. I have assessed those with reference to the advice in the Framework and Planning Practice Guidance and have amended the wording of some without altering their fundamental aims and where appropriate have added additional conditions.
16. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty. I have also imposed a condition in respect to the material specifications, and a condition for landscaping which are necessary to secure the satisfactory appearance of the development in the interests of the surrounding character and neighbouring amenity.
17. In regard to the surface water drainage, details are necessary to ensure relevant compliance with technical standards. In terms of the wider sustainability requirements, a condition requiring a minimum of 10% reduction in carbon emissions is necessary along with a condition securing electric vehicle charging points, to ensure that the development achieves sustainability objectives.

18. I have imposed conditions to ensure that there is suitable visibility at the proposed access, appropriate bicycle parking, and a suitable car parking layout is maintained in the interests of highway and pedestrian safety and the living conditions of future residents.
19. I have also imposed conditions in respect to the tree protection which are necessary to secure the satisfactory appearance of the development in the interests of the surrounding character, neighbouring amenity and encouraging wildlife and biodiversity. A condition securing on-site ecological enhancement is also necessary in order to ensure the development protects and improves biodiversity features of the site.

Conclusion

20. There are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised, the appeal is allowed.

Robert Naylor

INSPECTOR

SCHEDULE OF CONDITIONS

- 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 drawing nos: AAL-23-266-P01; AAL-23-266-P02 and AAL-23-266-P03.
- 3) No development shall take place until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details / samples.
- 4) No development shall take place until details of the hard surfacing to be used within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall indicate either porous materials or the provision of a direct run-off from the hard surface to a permeable or porous area. All hard surfacing shall be carried out in accordance with the approved details, completed prior to the first occupation of the development hereby permitted and thereafter, permanently retained as such.
- 5) No development shall take place until surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework.

The assessment shall provide information of the design storm period and intensity (typically a 1 in 100 year storm of 30 minutes duration with an allowance for climate change), the method employed to delay and control the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. Where applicable, the details shall include percolation tests, calculations and controlled discharge rates.

The approved drainage scheme shall be implemented prior to the first occupation of the development.

- 6) No development shall take place until details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the dwelling.
- 7) No development shall take place until the proposed vehicular access to Lower Road hereby approved has been constructed and provided with visibility zones in general accordance with approved plan AAL-23-266-P01 by the Local Planning Authority. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.
- 8) A) No retained tree shall be cut down, uprooted, or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars contained in the Arboricultural Impact Assessment Ref: APA/AP/2024/002 dated 22/03/2024 and Tree Protection Plan at Appendix 2 without the written approval of the Local Planning Authority. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) (or an equivalent British Standard if replaced) and in accordance with the supplied arboricultural method statement.

B) If any retained tree is removed, uprooted, or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C) Tree protection shall be maintained in-situ and not moved or removed until all construction has finished, and equipment, materials, or machinery are removed from site.

D) The arboricultural protection information and plans hereby approved or any submitted to meet a planning condition shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Local Planning Authority. This shall include the requirement for arboricultural supervision and site monitoring by a suitably qualified tree specialist, written details of which shall be submitted to and approved in writing by the Local Planning Authority following completion of the development hereby approved.

In this condition 'retained tree' means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (A) and (B) above shall have effect until the expiration of 5 years from the first occupation of the development.

- 9) No development above ground level shall take place until a scheme of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation of any dwelling and thereafter retained for the lifespan of the development.
- 10) The development hereby approved shall not be first occupied unless and until existing access from the site to Lower Road has been permanently closed and any kerbs, verge, footway, fully reinstated.
- 11) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans AAL-23-266-P01 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning area shall be retained and maintained for their designated purposes.
- 12) The development hereby approved shall not be first occupied unless and until each of the proposed dwelling is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.
- 13) The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles and the provision of a charging point with timer fore-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
- 14) The development hereby approved shall not be first occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected/retained. The boundary treatment shall be completed prior to the first occupation of the development, shall be carried out in accordance with the approved details and thereafter permanently retained as such.

END OF CONDITIONS