



Appeal Decision

Site visit made on 1 October 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/C3620/D/25/3370246

19 Quarry Gardens, Leatherhead Surrey KT22 8UE

- 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 Mr H Hassan against the decision of Mole Valley District Council.
 - The application Ref is MO/2025/0964/PLAH.
 - The development proposed is use of existing garage for purposes ancillary to host dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for use of existing garage for purposes ancillary to host dwelling at 19 Quarry Gardens, Leatherhead Surrey KT22 8UE in accordance with the terms of the application, Ref: MO/2025/0964/PLAH, subject to the conditions in the schedule at the end of this decision letter.

Application for costs

2. An application for costs was made by Mr H Hassan against Mole Valley District Council and this is the subject of a separate Decision.

Preliminary Matters

3. At the time of my site visit, the existing garage had been laid out to include a kitchen and shower room with living space and external changes to the elevations, including the removal of the garage door and a window and door inserted. The Council has referred to the application as one made retrospectively, that is after the development had been undertaken. However, the application forms state that the development had not commenced at the time the application was made, and I am required to consider the appeal on the basis of the details on the submitted application form.
4. The original permission for the residential development granted in 1999 under the Council's reference MO/98/1350, and as subsequently amended by amongst other permissions, MO/99/1052, included condition 17 which required the garages to the individual residential properties to be used only for the storage of private motor vehicles and ancillary domestic storage only.

Main Issue

5. The main issue in this appeal is the effect of the proposal on parking provision and on the living conditions of neighbours, with particular regard to inconvenience.

Reasons

6. The appeal property is a detached dwelling, with garage to the side attached at roof level, which forms part of a residential development permitted at the end of 1999, primarily comprising detached, two storey dwellings, with garaging and off street parking and modest size rear gardens. The appeal property is at the end of one of the cul de sacs of development and has amenity area to the front and to the rear.
7. The proposal would convert the existing garage to ancillary domestic use, involving external changes to remove the garage door and replace with a door and window and internally a living space is shown with a toilet and shower room.
8. The submitted plans do not show any parking provision as existing or as proposed. Policy INF2 and Appendix 13 of the Mole Valley Local Plan 2020-2039, adopted in 2024 (Local Plan) seek for three spaces for a dwelling with 4 bedrooms and in this location. The parking standards as set out at Appendix 13 refer to vehicle parking provision for residents of residential developments.
9. I have noted that the Ashted Neighbourhood Plan only refers to the provision of 2 parking spaces for this size of property, but the Local Plan is more recently adopted, and I have therefore followed its requirements. There appears to be no dispute that there would remain two spaces in front of the existing garage leaving a shortfall on one space to accord with the Local Plan standards.
10. Given the arrangement of dwellings within this part of Quarry Gardens and particularly around the cul de sac, there is very limited scope for on-street parking. I do not consider that the scale of the shortfall of one space and given the nature of the road culminating in a cul de sac, within a modest residential development, would lead to any concerns relating to highway and pedestrian safety. There appears to be no restrictions on on-street parking. However, if on-street parking were to occur, for example because of the lack of availability of on-site parking spaces, this could lead to difficulties of access and vehicular manoeuvring for neighbours to their own properties. This would be inconvenient and to that extent would be harmful to their living conditions.
11. The garden area immediately in front of the house has been laid out as hardstanding and the Appellant has provided information to confirm that the dropped kerb to that area has been undertaken with the consent of Surrey County Council. The Appellant has also confirmed that the surface to the hard standing is of porous materials with provision for direct run-off water to permeable/ porous areas within the curtilage of the dwelling.
12. I am satisfied that, taking the space in front of the existing garage together with the space immediately in front of the property, there would be appropriate off-street parking provision to serve the appeal property. I am therefore also satisfied that there would be no adverse effect on parking provision or harm to neighbours' living conditions. There would be no conflict with Policy INF2 of the Local Plan which seeks to ensure that developments meet minimum parking standards.

Other Considerations

13. A number of objections from local residents have raised matters relating to the nature of use of the garage. However, the proposal before me seeks permission for

ancillary use only and a condition would be imposed to require the use to be ancillary to the main dwelling.

14. Concerns have also been raised regarding land ownership in respect of the vehicular crossover which has been created and certified with Surrey County Council. However, the certificate of ownership accompanying the application and appeal confirm that the land within the red line is owned by the Appellant and the information provided indicates that Surrey County Council were satisfied for the crossover arrangements to be undertaken.

Conditions

15. The approved plans should be listed for the avoidance of doubt and in the interests of good planning. A condition should be imposed to require the garage to be used for purposes ancillary to the main dwelling house to reflect and accord with the proposal before me. I shall also add a condition to ensure that the parking areas in front of the garage as well as the area of hardstanding immediately in front of the property are kept available for the parking of vehicles associated with the existing dwelling to ensure adequate off-street parking provision to serve the dwelling.

Conclusion

16. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, GMA0081-02 Rev A, GMA0081-03 Rev B, GMA0081-04 Rev B, GMA0081-05 Rev B and GMA0081-06 Rev B.
- 3) The development hereby permitted shall not be used other than for purposes ancillary to the residential dwelling known as 19 Quarry Gardens, Leatherhead KT22 8UE.
- 4) The parking area in front of the existing garage and the parking area immediately in front of the existing house shall be kept permanently available for the parking of private vehicles associated with the existing residential dwelling.

End of Schedule