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Planning Department

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26 October 2021

Dear Sirs

MO/2021/1547

Mill House, Rookery Drive, Westcott, Dorking, Surrey, RH4 3LQ

Certificate of Lawfulness for the existing development in respect of the erection of a garage

I write in my capacity as planning lead for Westcott Village Association (WVA) and have also been asked to write by neighbours who have expressed their concerns to me.

WVA wrote an extensive letter of objection in respect of MO/2021/0361 on 23 April 2021 and we take great exception that this letter is now being cherry picked by the applicant as a "supporting document" to justify what we believe are false claims in respect of this new Certificate of Lawfulness application.

The planning consultant is seeking an amnesty for excess development and the Design and Access Statement states "*The purpose of this Certificate of Lawfulness application seeks to*

regularise the size of the building (garage) as it exists". This is because it became apparent when submitting application MO/2021/0631 (refused) that:-

The single storey conservatory - which was consented with conditions in 2004 (MO/2004/0858) to be added to the summer house (behind Mill House) was built larger. 35.04 sq m was consented and 35.7 sq m built. By volume 106.42 cubic m was consented and 110.67 cubic m was built. The consent also had the following use condition:-

3. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling on the application site.

Reason: To ensure that the development hereby permitted is occupied only for ancillary purposes to the dwelling specified since the site lies within a rural area to which a policy of restraint is applied in accordance with Mole Valley Local Plan policy ENV2.

The triple bay garage - which was consented in 2011 (2011/0480) with conditions was also built larger in 2012. 48.51 sq m had been consented but 53.96 sq m was built. By volume 127.23 cubic m consented and 167.03 cubic m was built. The consent also had the following use conditions:-

3. The garaging hereby permitted shall be used for the storage of private motor vehicles and incidental domestic storage only.

Reason: To ensure that adequate facilities are provided for the parking of vehicles clear of the highway, in the interests of the free flow of traffic and condition of safety on the highway in accordance with Mole Valley Local Plan policy MOV5.

4. No part of the garage hereby permitted shall be used for habitable accommodation without the prior permission, in writing, of the Local Planning Authority.

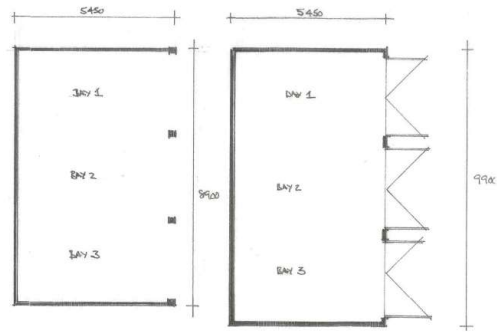
Reason: To prevent the garage being converted into living accommodation in conflict with Mole Valley Local Plan policy RUD9.

Section 8 of the application form – Description of existing use, building works or activity - states *"Garage as built, Conservatory Summer House as built, Both buildings have been used for their current use but both were built bigger than their applications granted"*.

If MVDC is minded to give consent to this application in order to regularise the size of these buildings, we believe it is important to question whether the Statutory Declarations which have been provided as supporting documents align with Section 8 above and are credible in their current form. Please note the additional words inserted into them as follows:-

"I have used both buildings for their current purpose as ancillary residential dwelling for my family continuously from in the case of the summer house 2008 and the garage from early 2012 without objection, complaint, obstruction or dispute since that date and this use remains unaltered up to the date of this statutory declaration".

I have lived in Westcott since 2006 and walk past this property frequently. Despite the erection of gates and fences, the garage is still visible from the Rookery Drive. I do not believe this statement to be true. Certainly not continuous and likely not even occasional. either. The existing plans and elevations which have been provided in support of this application for both buildings are dated Oct/ Nov 2020 and Jan 2021 and do not indicate residential use, ancillary or otherwise. Additionally, the garage elevations show no windows.



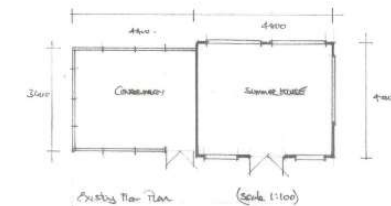
EXISTING AS CONSTRUCTED NO/2011/0480

EXISTING AS BUILT NO/2011/0480

<p>NOTES:</p> <p>All dimensions must be checked on site and not scaled from this drawing.</p>	Client	NO. 12/12/15	Scale	1:100	Drawing Title	EXISTING AS BUILT
	Job Title	ALL HOUSE PROPOSED DRAW	Drawn by	DATE	Drg No.	Rev
		WEST R44 3LQ		05/07/2011	2010 07 01	

PRODUCT OF THE UNO RANGE - ARCHITECT CAT. No. 7313

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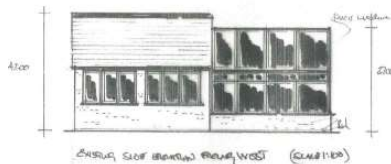


EXISTING PLAN (SCALE 1:100)

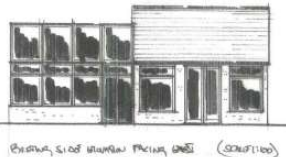


EXISTING HOUSE (SCALE 1:100)

EXISTING HOUSE (SCALE 1:100)



EXISTING SIDE ELEVATION (SCALE 1:100)



EXISTING FRONT ELEVATION (SCALE 1:100)

SUMMIT HOUSE / CONSTRUCTION TO BE DEMOLISHED / AREA / VOLUME TO BE ADDED TO EXISTING HOUSE / (REMOVED)

FLOOR AREA = 35.00 M²

VOLUME = 106.34 M³

0 100 200 300 400 500 CM SCALE BAR @ 1:100

<p>NOTES:</p> <p>All dimensions must be checked on site and not scaled from this drawing.</p>	Client	NO. 12/12/15	Scale	1:100	Drawing Title	EXISTING AS BUILT
	Job Title	ALL HOUSE PROPOSED DRAW	Drawn by	DATE	Drg No.	Rev
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Before the MVDC Officer submits a report we ask the planning department to make a site visit, inspect the buildings which are the subject of this application and to take legal advice and enforcement action as necessary.

The continued efforts by the applicant to secure additional development at Mill House by wearing down tactics and stealth are completely unacceptable in this sensitive Green Belt, Area of Outstanding Natural Beauty and Area of Great Landscape Value location.

We would therefore strongly urge MVDC to **refuse** permission for this application and take whatever enforcement action is deemed appropriate.

Yours sincerely,

James Leaver

Planning Lead, Westcott Village Association