
Appeal Decision

Site visit made on 16 January 2017

by Nicola Davies BA DipTP MRTPI

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

Decision date: 26 January 2017

Appeal Ref: APP/M3645/W/16/3158843
14 Money Avenue, Caterham CR3 5TH

- 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 Mr David Winters against the decision of Tandridge District Council.
 - The application Ref TA/2016/798, dated 11 May 2016, was refused by notice dated 4 August 2016.
 - The development proposed is the conversion of existing dwelling into two self contained units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Building works were underway at the appeal site at the time of my visit. It is not clear whether they related to the conversion works. I shall therefore consider the appeal as a standalone development which has not already commenced.

Main Issues

3. The main issues raised in respect of the appeal are the effect of the proposed development on: -
 - (a) The character and appearance of the area;
 - (b) Highway safety; and
 - (c) Whether it would provide adequately for on-site renewable energy.

Reasons

4. The character of the residential development in the area is one of dwellings that front onto the highway, that are set back behind front gardens or parking areas and have long rear gardens. The properties are, in the main, a mix of detached and semi-detached two-storey dwellings of mixed design styles. No 14 Money Avenue is a two-storey semi-detached dwelling that hosts a large two-storey extension to the side that incorporates a double garage with bedrooms above. Although the rear garden is shorter than that of adjoining dwellings in the area, its overall size is similar.
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5. The proposal would divide the existing dwelling into two two-bedroom dwellings. The resulting widths of the new dwellings would not be apparently less than those of other semi-detached properties in Money Avenue. I do not consider that the proposed new dwelling would harm the character and appearance of the area in respect of its scale, width, bulk and design.
6. Notwithstanding this, the sub-division of the rear garden would create two dwellings with smaller gardens than those of surrounding properties. The appellant statement acknowledges that both gardens would be limited in size. Whilst the Council does not have prescribed size standards for garden areas, the new end dwelling would have a significantly small garden that would not reflect the depth or size of gardens in the locality. It would be an uncharacteristically constrained garden. I consider that the new dwelling would have a substantially smaller plot size and would not conform to the prevailing pattern of development in the area. The proposed development would, therefore, be harmful to the character and appearance of area.
7. The appellant considers the garden would provide ample space for clothes drying and informal recreation for the occupiers of a two-bedroom dwelling. However, this does not obviate the need to ensure that, overall, the development respects the character and appearance of the area.
8. The appellant suggests a condition could be imposed that would remove permitted development rights and prevent the occupiers extending the dwelling and erecting outbuildings. Whilst this would retain the garden space to the rear of the new dwelling this would not overcome my findings in respect of the overall size of the plot.
9. I acknowledge the appellant's point that missing street numbering suggests past intention for additional house building within this street but this did not take place. Even if there may have been intention to augment development within Money Avenue this does not make the proposal acceptable or justify the development.
10. For these reasons I conclude that the proposed development would be harmful to the character and appearance of the area. The proposed development would be contrary to Policy CSP18 of the Tandridge District Core Strategy (the Core Strategy) and Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 which seek new development to respect the character, setting and local context and resists the inappropriate sub-division of existing curtilages to a size below that prevailing in the area, amongst other matters.

Highway safety

11. The proposal would remove the double garage and the two parking spaces it provides for the existing dwelling. This would be replaced by one space within the frontage of each dwelling. The Council indicates that this off-road parking is not sufficient to provide for both dwellings and is concerned that the development would increase on-street parking in Money Avenue.
12. The Council's adopted Parking Standards Supplementary Planning Document (SPD) requires at least two legible allocated parking spaces per two-bedroom dwelling or 1.5 legible spaces if provided on an unallocated basis. The appellant considers the site to be in a sustainable location close to transport links.

13. I observed that Money Avenue terminates in a cul-de-sac. This would generally limit traffic to this part of Money Avenue to that of local residents. As this is not a through road travel speeds would be low. Whilst I observed the highway and termination of the cul-de-sac close to the appeal site had on-street parking taking place, further along Money Avenue there was a general absence of parked vehicles as many of the properties have off-street parking within their frontages. It appears to me that there is a moderate demand for on-street parking in Money Avenue and I note that parking is not restricted. Taking this into account, there would be sufficient space to park within a reasonably close proximity to both dwellings. I appreciate that on-street parking is likely to vary throughout the day, however the increase in on-street parking would be low.
14. The County Highway Authority assessment considers that any additional traffic generation, access arrangements and parking provision to be acceptable and would not have a material impact upon the safety and operation of the adjoining public highway. Whilst normally parking provision should be made on site in accordance with the SPD, there is no reason before me that would suggest that the proposed development would create parking problems in the area or that it would have an adverse effect upon highway safety or the operational use of the highway.
15. Taking the above matters into consideration, I conclude that the proposed parking provision would not have an adverse impact upon highway safety or the operational use of the highway.

On-site renewable energy

16. The appellant's statement indicates that the new dwelling would be built to modern day standards and be highly energy efficient and include sustainable materials and methods. Notwithstanding this, I do not have substantive evidence before me to demonstrate the level of CO₂ reduction that would be achieved by renewable energy technologies. I therefore cannot be convinced that the appeal proposal would adequately contribute to the reduction in CO₂ emissions through on-site renewable energy technologies, as required by Policy CSP14 the Core Strategy. This policy relates to all residential development, including conversions. As the proposed measures that may be necessary may impact the design of the appeal proposal, I consider that it could not effectively be controlled by a planning condition. My reasoning on this issue would be consistent with other appeal decisions referred to by the Council.
17. I conclude that it has not been demonstrated that the appeal proposal would adequately provide for on-site renewable energy and would therefore fail to accord with Policy CSP14 of the Core Strategy, which requires all new residential development to reach a minimum percentage saving in CO₂ emissions through the incorporation of on-site renewable energy.

Other Matters

18. The appellant comments that there is a need for smaller homes in the area and suggests that there is a shortage of two-bedroom dwellings and an oversupply of four or more bedroom properties in the area. I accept that the proposed development would contribute a dwelling within the urban area in a sustainable location. I note that the proposed development would not harm the living conditions of adjoining occupiers. It is also acknowledged that the proposed

development has gained some local support. However, these benefits would not outweigh the harm that I have identified above.

Conclusions

19. Whilst I have found in favour of the appellant in terms of the effect on highway matters, this does not overcome the identified harm in relation to the other main issues. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR