
Appeal Decision

Site visit made on 28 March 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 10th April 2017

Appeal Ref: APP/P3610/W/16/3157241
107 Dorking Road, Epsom, Surrey KT18 7JZ

- 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 Ms S Shelley against the decision of Epsom & Ewell Borough Council.
 - The application Ref 16/00466/FUL, dated 3 June 2016, was refused by notice dated 22 August 2016.
 - The development proposed is the construction of 2-bed detached bungalow.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Ms S Shelley against of Epsom & Ewell Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are whether the proposed development would provide acceptable living conditions for future occupiers in terms of the standard and quality of the internal and external space, and the effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions

4. Policy DM 12 of the Council's Development Management Policies Document (DMPD) sets out that all new housing developments are required to comply with external and internal space standards. The Council indicate that they apply the national space standards. This would require the dwelling to provide a minimum of 61m² of internal floorspace. The scheme would not meet this being around 57 m². Furthermore, there would be no hallway between the main living area and the main bedroom. Whilst this would provide accessibility there would be very little privacy between the rooms. The circulation space between the bathroom, airing cupboard area and the second bedroom would be limited. I consider that this would fail to provide high quality internal space for future occupiers.
 5. The appellant refers to different internal space standards being applied to accommodation for older people. However, no particular standards are provided other than comparisons to 'Mac Stone' type developments as
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described by the appellant. I have been provided with a number of examples from sales particulars of properties where the amount of internal accommodation provided is less than that set out in the national standards. However, I have not been provided with the details of these examples or whether they were approved at the time the national standards were adopted by the Council. I cannot be certain that the circumstances of these cases are the same as those before me. In any event, I have considered the proposal before me on the specific circumstances and evidence which has been provided by the parties.

6. I accept that the scheme would provide the required amount of external space in terms of the space standards. Nevertheless, I agree with the Council that the outdoor space to be provided would be mainly within the front garden, with very little usable space to the rear and side of the property. The site is located on the corner of a busy junction with Dorking Road being particularly heavy with traffic, and I consider this would not provide a high quality outdoor environment for sitting out. I am not persuaded that the proposal would provide adequate useable and functional outdoor space.
7. I acknowledge it is intended that the dwelling would be custom build and that accommodation would be for an elderly person currently living close to the site. I accept that their requirements may be different to that of other occupiers. However, the occupation of the property by an older person cannot be guaranteed as there is no mechanism to secure the use of the building in this respect, and I have had regard to potential future occupiers which may include families.
8. For the reasons given above, I conclude that the proposed development would fail to provide acceptable living conditions for future occupiers in respect of the internal and external space to be provided. It would be in conflict with Policy DM 12 of the DMPD that seeks new development which provides adequate internal space and appropriate external private space.

Character and appearance

9. The appeal site is located on the corner of Dorking Road and Woodcote Side. The area in which the appeal site is located has a mix of types and styles of properties. The majority of buildings are two storeys. However, three storey buildings are not uncommon including blocks of flats, and there are a number of bungalows on Oakmead Green close to the appeal site. Designs of buildings and materials vary and include the use of red brick, render and hipped and pitched roofs. This variety is a significant feature of the area.
10. The bungalow would have a porch with some detailing. The windows would match the design of those found in the adjacent flats. The proportions would be similar to the surrounding buildings. Given that there are bungalows within the immediate area, I consider the scheme would not appear significantly out of context, and would add to the distinctive variety of properties found on Dorking Road.
11. For the reasons given above, I conclude that the proposed development would not cause harm to the character and appearance of the area. It would not be in conflict with Policies DM 9 and DM 10 of the DMPD. These amongst other things seek new development which make a positive contribution to the Borough's visual character and appearance and where the most essential

elements identified as contributing to the character of local distinctiveness of a street or area should be respected, maintained or enhanced including typology, density, scale, details and key features.

Conclusion

12. I have found that the proposal would not cause harm to the character and appearance of the area. I note that it is intended to construct the dwelling using sustainable construction techniques and incorporate solar panels. However, the proposal would cause harm to the living conditions of future occupiers and this is sufficient reason to dismiss the appeal.
13. For the above reasons and having regard to all other matters raised including concerns raised by local residents about parking provision, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR