

Appeal Decision

Site visit made on 2 May 2017

by Rory MacLeod BA MRTPI

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

Decision date: 26th May 2017

Appeal Ref: APP/L3625/W/16/3167731

5 Tattenham Crescent, Epsom Downs KT18 5QG

- 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 Sahin Agirbas against the decision of the Council of the Borough of Reigate & Banstead.
 - The application Ref 16/01357/F, dated 1 June 2016, was refused by notice dated 17 November 2016.
 - The development proposed is the provision of a metal storage container (colour green) situated at the rear boundary.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The storage container is in place at the site and the application form describes the development as 'Retention of metal storage container'. However, as retention is not an act of development, I have described the proposal as provision of a metal storage container.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site comprises an end of parade shop unit in use as a café and restaurant with residential accommodation above, located on the corner of Tattenham Crescent with Tattenham Grove. To the rear of the café is a covered decked area arranged with seating for customers, and between this and the rear boundary is located the metal container which is used for dry storage in connection with the café. To the south of the site, Tattenham Grove becomes residential in character. The character and appearance of the immediate vicinity of the appeal proposal is mainly defined by various single storey outbuildings and garages facing a rear service road behind the parade; most of these are finished in white rendered walls.
 5. Whilst the nearby utilitarian structures give the rear service road a low key commercial character, these are fundamentally different in appearance to the appeal proposal. As noted by the Council, they are not unexpected in a suburban environment and are less publicly prominent being further from
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Tattenham Grove. Notwithstanding its green colour and the proximity of mature trees and green foliage at the time of my site inspection, the metal container appears as a discordant element in the context of the site and its surroundings.

6. The container is screened to some degree from viewpoints on the footways alongside the appeal site in Tattenham Grove by a boundary fence and canes and by the canopy over the seated area. However, it appears as a conspicuous and incongruous feature when viewed from footways to the south.
7. The appellant has invited me to consider the use of a planning condition to require the provision of canes or other material to better screen the container. The height of fencing or screening material required to obscure the container from public viewpoints, particularly along the rear boundary to which the container abuts, would be substantially higher than other enclosures in the vicinity and this would also impact on the character of the area. Under the circumstances and based on the available details, I consider the use of such a planning condition would not be effective at mitigating the harm I have identified.
8. Having regard to all relevant considerations, I conclude that the development is detrimental to the character and appearance of the area and contrary to Policy SH2 of the Reigate and Banstead Local Plan 2005 which seeks to ensure that the scale and form of new development at retail sites and the use of materials complements the character of the area. The appeal is dismissed.

Rory MacLeod

INSPECTOR