
Appeal Decision

Site visit made on 6 November 2017

by Joanna Reid BA(Hons) BArch(Hons) RIBA

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

Decision date: 13 November 2017

Appeal Ref: APP/M3645/W/17/3180244

52 Banstead Road, Caterham CR3 5QE

- 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 M Skilton against the decision of Tandridge District Council.
 - The application Ref TA/2017/121, dated 25 January 2017, was refused by notice dated 2 June 2017.
 - The development proposed is 2No Bed Dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect that the proposed development would have on:
 - the character and appearance of the surrounding area, and
 - the living conditions of the occupiers of 50 Banstead Road, with regard to outlook.

Reasons

Character and appearance

3. The appeal site includes a 2-storey semi-detached dwelling, which is attached to 54 Banstead Road on one side, and which includes a single storey extension, a porch and a detached garage on the other. Much of its front garden is hard-surfaced, but there are some planted areas, mainly by the boundaries, which partly soften its impact in the street scene.
4. The immediate area is mainly characterised by well-spaced semi-detached and detached dwellings in moderate-sized leafy plots of varying proportions. There are also a few short terraces, as well as the modest commercial premises and pitched-roofed flats on the opposite side of Banstead Road. The gaps between the buildings at first floor level and above give glimpses of mature planting in many of the gardens beyond. The leafy gaps and the verdant grounds of the flats contribute in an important way to the spaciousness which contributes to local distinctiveness, and to the character and appearance of the area.
5. The existing side extension, porch and garage would make way for the proposed attached 2-storey pitched-roofed dwelling, which would be almost as wide as its atypically narrow plot. The 2-storey part of the dwelling would align with the back of the 2-storey part of the existing dwelling but it would project a

little further forward than the front facing gabled feature at 54 Banstead Road at the front. It would include a low-pitched-roofed ground floor rear outshoot at the back that would be a little shallower than the existing rear extension to the present dwelling.

6. Due to its fairly narrow width, the proposed dwelling would be out of keeping with the wider frontage dwellings and flats close by. Because of its scale, height and siting close to the side boundary, the proposal would harmfully erode the important gap between the neighbouring dwellings. Its front door would be set well back at the side, so the proposed dwelling would be poorly related to the street. Thus, the proposed dwelling would look incongruous and squeezed-in.
7. Moreover, the narrow width and relatively small back garden of the proposal and the much reduced back garden for the existing dwelling would fail to reflect the ample gardens that are important to the prevailing pattern of development. Because the modest garden for the proposal would be on the north side of the dwelling, and it would be separated from the adjoining gardens by tall fencing to protect its occupiers' privacy, it would be unlikely to contribute to the leafy character of most nearby gardens. Thus, the proposal would be an inappropriate sub-division of an existing residential garden. Whilst there are other narrow plots in the wider area including some in Elm Grove, most have rather longer well-planted back gardens, so they do not weigh in favour of the proposal.
8. The modest terrace at 35a to 35d Banstead Road, which may predate current local and national policy, is not typical of the immediate area, and as it is on the other side of the road its dwellings should have reasonably sunlit back gardens. I have also had regard to the other developments that were drawn to my attention by the appellant, but there was no suggestion that the 2-storey extensions at 48 Banstead Road, 21 Avenue Road and 27 Blanchmans Road had caused the harmful subdivision of their private gardens, and the new dwelling at 35 Blanchmans Road is a considerable distance from the appeal site, where its site specific circumstances are different. So, these other developments provide little support for the harmful proposal in this appeal.
9. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area. It would be contrary to Policy CSP18 of the *Tandridge District Core Strategy* (CS) which seeks respect for character and local context, including those features that contribute to local distinctiveness, Policy DP7 of the *Tandridge Local Plan Part 2: Detailed Policies* (LP) which aims for development to integrate effectively with its surroundings and to reinforce local distinctiveness, LP Policy DP8 which aims to permit the partial redevelopment of garden land within Caterham where it does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area, and the *National Planning Policy Framework* (Framework) which seeks to take account of the character of different areas.

Living conditions

10. The existing dwelling at 50 Banstead Road is set well away from the common boundary with the appeal site by its single storey side extension and detached garage. Whilst the proposed dwelling would extend into the back garden nearly as deeply as the existing dwelling and its single storey rear extension, its single storey rear outshoot would be largely screened by the boundary

treatment that would be necessary to protect the future occupiers' privacy. Due to the present alignment of the appeal dwelling and the dwelling at 50 Banstead Road, the modest front projection to the new dwelling, whilst closer to the common boundary, would have little impact in views from the windows at the front of 50 Banstead Road and its front garden.

11. The only clear-glazed first floor window in the side of 50 Banstead Road lights the first floor landing. So, although the 2-storey part of the proposed dwelling would be closer to the common boundary than the existing dwelling, it would not be unacceptably overbearing or oppressive. The existing side extension limits the depth of the back garden at the side of the dwelling at 50 Banstead Road. Due to the distance of the dwelling at 50 Banstead Road from the common boundary and the depth of the 2-storey part of the proposed dwelling, it would not harm the occupiers' outlook from the windows in the back of their home, or their outlook from the garden close to their home, which is often the most well-used.
12. Thus, I consider that the proposed development would not harm the living conditions of the occupiers of 50 Banstead Road, with regard to outlook. It would satisfy CS Policy CSP18 and LP Policy DP7 which aim for proposals to not significantly harm the amenities of occupiers of neighbouring properties by reason of visual intrusion and overbearing effect, and the Framework which seeks a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

13. The proposal would make a modest but welcome contribution to housing supply in the District. However, its social and economic benefits including the new dwelling and, say, jobs during construction, would be significantly and demonstrably outweighed by the environmental harm that it would cause to the character and appearance of the area. So, although the proposal would be in a reasonably accessible location, it would not be in accordance with the presumption in favour of sustainable development.

Conclusion

14. Whilst the proposal would not harm the outlook of the occupiers of 50 Banstead Road, the harm that it would cause to the character and appearance of the area is a compelling objection to the scheme. For the reasons given above and having regard to all other matters raised, the appeal fails.

Joanna Reid

INSPECTOR