
Appeal Decision

Site visit made on 9 July 2019

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2019

Appeal Ref: APP/M3645/D/19/3227821
19 Stanstead Road, Caterham, CR3 6AD.

- 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 Richard Brindley and Nicola Cavanna against the decision of Tandridge District Council.
 - The application Ref TA/2019/130, dated 21 January 2019, was refused by notice dated 21 March 2019.
 - The development proposed is elevated car parking and front landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

I consider the main issues in this case are:

- The effect of the proposed development on the character and appearance of the area; and,
- Its impact on the living conditions of neighbouring occupiers in terms of its potential to have overbearing and overshadowing effects.

Reasons

2. The appeal property, number 19 Stanstead Road, is one of a row of large detached houses accessed from a private drive that runs parallel to the road. As I saw, while built up the area is nevertheless semi-rural in character.
3. Due to the topography of the area the houses are set down below Stanstead Road, with number 19 being much lower than the common drive resulting in a steep access to the parking and garaging. The appellants wish to form a raised parking area for two cars level with the access drive along with associated areas of hard and soft landscaping.

Character and appearance

4. From the application drawings it would appear that a small building/enclosed structure is proposed to support the raised parking area. A raised deck for outside seating, all set in a formal hard landscaped area with raised planting beds, is also proposed.

5. Although it would be for the Council to consider any subsequent proposal, in my judgement there would be the potential here to form a parking area level with the private drive. However, the current scheme design would result in significant building/engineering works along with extensive areas of hard landscaping with formal planting to the frontage of the dwelling. To my mind this would when considered cumulatively appear somewhat fussy and cluttered. This would thereby so detract from the established semi-rural character of the area as to cause harm to the character and appearance of the area.
6. I therefore conclude in respect of the first main issue that the development would cause significant harm to the character and appearance of the area. To allow the development would therefore be contrary to Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies-2014-2019 (Adopted July 2014) (LP), Policy CSP18 of the Tandridge District Core Strategy (Adopted 15 October 2008) (CS) and Harestone Valley Design Guidance SPD (2011) as they relate to, amongst other things, the quality of the development and the need for it to reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness.

Living conditions

7. The Council is concerned that the development as proposed would cause harm to the living conditions of neighbouring occupiers by reason of the development appearing overbearing and resulting in it having an overshadowing effect.
8. I have found that the development as planned would cause harm to the character of the surrounding area and would therefore detract from the visual amenity of the area. However, from what I have seen and read, I am not persuaded that it would be either so overbearing or result in such a level of overshadowing as to cause harm to residential living conditions in the way suggested by the Council.
9. I therefore conclude, in respect of the second main issue, that the impact on the living conditions of neighbouring occupiers would not be such as to cause harm by reason of overbearing or overshadow effects. It would therefore accord with LP Policy DP7 and CS Policy CSP18 as they seek to protect residential living conditions.

Conclusions

10. Having regard to all matters I have concluded that the proposal would not be prejudicial to residential living conditions. However, it would result in unacceptable harm to the character and appearance of the area and that for this reason the appeal should not succeed.

Philip Willmer

INSPECTOR