

Appeal Decision

Site visit made on 25 July 2019

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/L3625/W/19/3227568
24 Epsom Lane North, Tadworth, KT20 5EH

- 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 Millhouse Group Ltd against the decision of Reigate & Banstead Borough Council.
 - The application Ref 18/01729/F, dated 10 August 2018, was refused by notice dated 4 January 2019.
 - The development proposed is the redevelopment of former industrial site to provide 10 no. apartments along with associated car and cycle parking and landscaping.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

Character and appearance

3. The appeal site extends to about 0.64 hectares and comprises a scrap metal/metal fabrication yard on the eastern side of Epsom Lane North. Presently on the site is an L-shaped, single storey commercial industrial building, with areas of open storage/hardstanding surrounding. The site is accessed from Epsom Lane North. This undulating road has single sided, primarily residential, development with attractive open land opposite which is Metropolitan Green Belt. Properties on Epsom Lane North are predominantly detached of either two storey or bungalow form and set within plots of a consistent width such that the street scene has an appreciable rhythm. Garden landscape is quite prominent and the whole scene is an attractive one providing a defined edge of settlement character and some sense of spaciousness. Land immediately to the east of the site has recently been redeveloped to provide a small residential cul-de-sac of 2/2.5 storey detached and semi-detached houses with pitched roofs.
 4. The proposal is as described above. The flats would be in two blocks which would include a lower ground, ground, first and second floor with the latter incorporated into the roof space and served by dormers and one gable set of
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French doors with balcony in each of the 2 flats. The lower ground area would have lightwells with courtyard space below to the front of the two blocks. Vehicular access would be taken from the main road and parking would be reached via a ramp down with spaces below the rear grounds.

5. The site has been the subject of a previous appeal (APP/L3625/W/18/3206159) for a scheme of 12 flats which was dismissed, in summary, as inappropriately positioned over-development harmful to local character and appearance. The Appellant has sought to address those concerns by a revised proposal; the Council considers that the changes do not go far enough. I have carefully considered all that has changed and I can see 'improvements' on a number of elements including set-back, block separation, site coverage and roof mass amongst other matters.
6. Nevertheless, looking at the scheme before me I see two sizeable blocks which bear little resemblance in all dimensions to the scale of nearby development and as a whole would look ill at ease in their context. The pronounced accommodation at roof level with large gables, fenestration and balconies would be most uncharacteristic and eye-catching. Scope for frontage vegetation would be severely restricted by light-wells, accessways and main windows and balconies and these large buildings would be relatively close to the road. The appreciable number of balconies would add further emphasis to the considerable scale of the frontage elevations. These elevations and the roofscape would pay very little regard to the topography of the site, ignoring the ground dropping away to the north and using additional inelegant above-ground construction to make up the height.
7. Put simply the development would display little subtlety and would give the impression of two over-prominent structures which were alien in this context and too large for the site. Regrettably I consider that the scheme would represent over-development harmful to the area's character and appearance.
8. I therefore conclude that there would be conflict with Policies Ho9, Ho13 and Ho16 of the Reigate and Banstead Local Plan 2005, policy CS4 of the Reigate and Banstead Core Strategy. Taken together and amongst other matters these policies call for well designed development of suitable scale, form and appearance relative to immediate and wider location and underline that the maintenance of the character of an area will normally be the prime consideration when residential development is contemplated.

Other matters

9. At the time of determination the Council was concerned that the scheme failed to make adequate provision for affordable housing contributions. However to this end a draft legal agreement has been prepared by the Appellant and rests with the Council for comment. On the face of it this would seem to suitably address the point and would appear to satisfy the 3 tests in Regulation 122(2) of the CIL Regulations 2010. Had I been minded to allow the appeal I would have explored these matters further and would have sought the views of the Council. However given my findings relating to the main issue I need not take this matter any further.
10. The provision of funds towards affordable housing and creation of new homes within the scheme on an anomalous commercial site do carry social, economic and to a degree environmental benefits that weigh in favour of the

development. The access from what I have seen and read would be suitable and safe. There would be a change in outlook and relationship for neighbours but I agree with the Council, for the reasons it gives, that there would not be serious detriment to amenity enjoyed by these residents. I have considered plot ratios and densities but neither of these factors are necessarily aesthetic determinants. I can see that the Appellant has given considerable thought to the previously refused scheme and the amendments embodied within this appeal scheme and I do understand that it must be a frustrating exercise. Nevertheless notwithstanding all of the foregoing having carefully considered all the points raised by the Appellant these matters do not outweigh the concerns which I have in relation to the main issue identified above.

11. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR