



Appeal Decision

Site visit made on 16 March 2020 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2020

Appeal Ref: APP/M3645/W/19/3243104

Land at 121A Harestone Hill, Caterham CR3 6DL

- 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 Jason Moore against the decision of Tandridge District Council.
 - The application Ref TA/2019/998, dated 31 May 2019, was refused by notice dated 1 August 2019.
 - The development proposed is the erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the area.
 - Whether the proposal would provide satisfactory living conditions for its future occupiers with regard to the provision of acceptable outdoor amenity space.

Reasons for the Recommendation

Character and Appearance

4. The appeal site comprises the access drive and front garden of No 121A Harestone Hill. The site is set back from Harestone Hill to the rear of No 119 and No 121 and lies adjacent to No 101, No 123 and No 123A. The site is currently well screened from views from the surrounding properties by mature trees and hedges. This vegetation, along with its backland position, means the proposed dwelling would not be visible in the street scene.
5. The area is residential in nature, characterised by large detached properties located on spacious plots with large gardens which results in the house being well spaced apart. However, in the proposal, the effective size of the appeal

site would be much smaller than the majority of the neighbouring plots, so would not allow for a large garden and would also significantly reduce the available garden space for No 121A. In addition, the development, when seen with the existing house, would result in the houses appearing cramped on the two small plots created. Whilst the appellant asserts that the detailing and materials proposed would contribute to local character, and the dwelling is of an architectural style which responds to the height and style of No 121A, these measures would not address the more fundamental issues of scale and plot size.

6. It was clear from my site visit that backland and infill residential development has taken place in the area; but that development is generally well spaced and generous plot sizes have been maintained. Whilst the appellant refers to the proposal being similar to that at 127 Harestone Hill, I do not find it comparable in terms of its pattern. I also note the presence of the two backland houses behind No 125, but these both have considerably larger plots than that which would result from this proposal.
7. I accept that there would be no impact on the street scene. Nonetheless, the development would still conflict with the character of the wider area.
8. For the reasons above I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policy CSP18 of the Tandridge District Core Strategy (Adopted 15 October 2008) (the 'Core Strategy') which seeks, amongst other things to ensure new development reflects and respects the character, setting and local context, including those features that contribute to local distinctiveness. Similarly, it would be contrary to Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2019 (the 'Local Plan') which seeks, amongst other things to ensure proposals respect and contribute to the distinctive character, appearance and amenity of an area and do not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design. It also would be contrary to Policy DP8 of the Local Plan, which seeks to ensure that the redevelopment of garden land within Caterham will only be permitted if the development is appropriate to the surrounding area in terms of size and scale and maintains the character and appearance of the area, and does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area.
9. The development would also conflict with design principles L1 and L4 set out within the Harestone Valley Design Guidance Supplementary Planning Document (3rd March 2011) which state, amongst other matters, that development should relate to the predominant plot and development rhythm in the area, that existing occasional breaches of a building line must not be seen as a precedent and are not a justification to depart from the overall pattern, and that developments should respect their location, the size of the site and the character of the area. I do not consider design principle L3 is particularly relevant to the proposal given that it relates to developments alongside the public realm.

Living Conditions – Future Occupiers

10. I note the appellant states that the proposed dwelling has been positioned to blend with the contours of the site. However, the garden to the side of the house would be steeply sloped. As such this would leave a relatively small area

to the rear suitable for the future occupiers to be able to enjoy. I am not satisfied the amount of usable amenity space provided would be sufficient for a four bedroom property.

11. Furthermore, the boundaries are lined with mature trees and hedging and this combined with the small site area and topography would give the proposed dwelling and garden an enclosed character. I acknowledge that a number of trees and hedges would be felled and pruned in order to facilitate the proposed development as detailed in the Arboricultural Method Statement (AMS) submitted in support of the appeal. However, the majority of the trees identified for removal are within the footprint of the proposed dwelling and driveway and the site would remain generally enclosed by trees and vegetation on the boundaries and in neighbouring gardens.
12. For the reasons above I conclude that the lack of acceptable outdoor amenity space means the proposal would fail to provide satisfactory living conditions for its future occupiers. It would therefore be contrary to Local Plan Policy DP7 which seeks, amongst other things to ensure proposals provide a satisfactory environment for the occupiers of new development.

Other Matters

13. Both parties refer to a previous proposal for the site which I understand was for alterations to the existing dwelling and erection of three new dwellings and was dismissed at appeal (APP/M3645/W/19/3232200). I appreciate that the appellant has sought to address some of the concerns that were raised, including by reducing the number of dwellings and a larger garden. However, whilst I have had regard to the findings of the previous appeal decision, I must consider the appeal proposal before me on its own merits.

Conclusion and Recommendation

14. According to the Authority's Monitoring Report (2018) using the Standard Methodology, the Council is unable to demonstrate that it has a five year supply of housing land. As a result the tilted balance in paragraph 11 d) ii. of the National Planning Policy Framework (the Framework) needs to be applied.
15. The proposal would add one dwelling to the housing stock in a Category 1 settlement location, with good access to facilities including North Downs Hospital, schools and a train station. The dwelling would contribute to the target for windfall sites and provide a unit of a size for which there is a local need. There would also be some economic benefits in terms of the investment in the construction of the dwelling, local employment during the construction and by increasing local spend from residents of the new dwelling. However, as the proposal is only for one dwelling all these factors would be of minimal benefit. The proposal would be harmful to the character and appearance of the area and the living conditions of future occupiers and therefore contrary to the environmental and social objective of planning, to which I give significant weight.
16. I recognise that the proposed development is acceptable including in terms of biodiversity, the living conditions of neighbouring occupiers, parking, crime and highway safety. The lack of harm in these respects carries neutral weight.
17. Therefore, I find that the adverse impacts of the development proposed would significantly and demonstrably outweigh the benefits when assessed against

the policies in the Framework taken as a whole. The proposal would be contrary to the development plan and this conflict is not outweighed by other material considerations including the Framework.

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR