The Planning Inspectorate

Appeal Decision

Site visit made on 25 August 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2020

Appeal Ref: APP/M3645/W/19/3243856
Land Adj Tanglewood, Tydcombe Road, Warlingham, CR6 9LU

- 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 & Mrs D Furr against the decision of Tandridge District Council.
- The application Ref TA/2019/1617, dated 4 September 2019, was refused by notice dated 11 November 2019.
- The development proposed is erection of new dwelling following demolition of existing detached garage.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Following the submission of additional information with the appeal, the Council have confirmed that it does not wish to pursue the second reason for refusal. I have dealt with the appeal accordingly.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. Tanglewood appears as part of a group of three large, individually designed detached properties, together with Hermitage and Old Firs. The plots for these residential buildings are shallow and wide, reflected in a significant amount of open and undeveloped space to the side of each building. Collectively, this group exhibit a spacious character that can be differentiated from other detached properties on the surrounding housing estate. This is clearly apparent in views from the Tydcombe Road.

5. The proposed building would be inserted in between Tanglewood and Old Firs, in a plot that would be formally severed from Tanglewood. It would almost rise to the same height as these buildings and would have a similar hipped roof design with front facing gable walls. It would also follow the existing front building line. As such, it seeks to achieve a similar visual status as these existing buildings, in views from the street.

6. However, it would be significantly narrower than these two buildings, particularly at first floor level. Furthermore, the separation distance to the side of Tanglewood would be limited, with two walls at first floor level facing each

other at a distance of around 6 metres. Whilst similar separation distances and building to plot ratios can be found elsewhere on the estate, in the context of this comparatively spacious area the two buildings would appear unusually close together, particularly above ground floor level.

7. This combination of factors means that the proposal would detract significantly from the spacious character and appearance currently exhibited by this group of buildings. This would be to a much greater degree than the existing low rise, visually subservient garage building on the site and associated development. The height, bulk, siting and design of the new building, in combination with its relatively narrow plot, means that the proposed development would appear awkward and cramped in relation to its immediate surroundings. The harm that would arise would not be effectively screened by retained landscaping features.

8. As such, there would be unacceptable harm to the character and appearance of the area. The proposal conflicts with policy CSP 18 of the Tandridge District Core Strategy (2008) and policies DP7 and DP8 of the Tandridge District Local Plan Part 2: Detailed Policies (2014). These policies seek, amongst other things, to ensure new development maintains the character and appearance of the area particularly where new development is proposed on residential garden land.

Other Considerations

9. The historic planning permission for a building to the side of Old Firs appears to have lapsed without being implemented. Given the significant amount of time that has passed since that approval, it does not amount to a precedent that justifies this proposal which has been assessed on its merits against the current policy framework. It is also suggested that, as an alternative to the proposal, Tanglewood could be extended. However, the details of what may occur are very limited. It has not been demonstrated that the harm would be greater than this proposal.

10. The proposal would comply with other development plan and emerging policies, including those which aim to direct new residential development to established built up areas, and associated density expectations[1]. This is a particular focus in Tandridge, given the limited amount of available land for new residential development. However, these considerations do not overcome the harm that would arise to the character and appearance of the area. The proposal conflicts with the development plan, when it is considered as a whole.

Planning Balance

11. The Council cannot demonstrate a 5-year housing land supply. The National Planning Policy Framework ("the Framework") states that, in these circumstances the policies which are the most important for determining the application are out-of-date. As such, the presumption in favour of sustainable development, as set out in paragraph 11 d) of the Framework, is engaged.

12. The proposal would provide one additional dwelling with a high standard of living accommodation in an existing built up area, reasonably close to services and facilities including public transport links. A good standard of environmental performance would also be achieved. As a small site it could be delivered quickly. The Framework states that great weight should be given to the

[1] As set out in the planning and appeal statements, provided by the appellant.

benefits of using such sites for homes. There would also be economic benefits, through construction activity and the potential for community infrastructure levy payments and new homes bonus upon completion of the development. Cumulatively I attach substantial weight to these benefits.

13. However, the proposal would detract from its surroundings and therefore fails to achieve a well-designed place, which is another objective of the Framework. I also attach substantial weight to the harm that would arise, in this respect. Overall, and even taking account of the established shortfall in housing land supply, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development does not therefore apply.

14. This conclusion is similar to that reached by other planning Inspectors in recent appeals in Tandridge, as cited by the Council. However, these appeal decisions are otherwise of very little relevance to my assessment of this case, which I have considered on its individual planning merits. The harm identified in this appeal decision relates to the principle of the scheme as currently proposed and cannot be overcome by the use of planning conditions.

Conclusion

15. The proposal conflicts with the development plan and there are no other considerations, including national planning policy, that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR