

Appeal Decision

Site visit made on 27 October 2020

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Reference: APP/C3620/W/20/3248992

Land at 15 Deepdene Avenue, Dorking RH4 1SS

- 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 K Jux of Three Oaks Property Ltd against the decision of Mole Valley District Council.
 - The application (reference MO/2019/2064/PLA, dated 9 November 2019) was refused by notice dated 31 January 2020.
 - The development proposed is described in the application form as "*Demolition of No.15 Deepdene Avenue and construction of 5 No. residential dwellings within the site of No.15 and land to rear of No.9 incorporating hard/soft landscaping & modified access point onto Deepdene Avenue*".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

3. Deepdene Avenue (the A24) is a very busy trunk road through Dorking and is a dual carriageway along the frontage of the appeal site. In this area, the western (northbound) carriageway has a narrow parallel service road that provides access to residential properties on this frontage but residential properties on the eastern frontage are reached directly from the main (southbound) carriageway.
4. The land to both the west and east of this stretch of the main road is predominantly residential in character and along the eastern frontage of the road the frontage is occupied by individually designed two-storey houses, mainly detached homes in large plots that generate long back gardens in the case of the appeal site and some of its nearest neighbours. To the rear, the houses in Deepdene Vale have much shorter back gardens (which back on to those of Deepdene Avenue, separated by a public footpath).

5. Number 15 Deepdene Avenue is a pleasant detached house but it is not of special architectural consequence. It stands in a narrower plot than others in the frontage but the appeal site includes a wider area of land at the rear, extending behind three neighbouring frontage houses. There is a protected tree (Tree Preservation Order reference TPO/113/4/O) in the garden at the rear of number 15 that restricts the accessibility of this part of the site, however.
6. It is now proposed that number 15 Deepdene Avenue should be demolished and that the extended site should be redeveloped as a whole. The new development would comprise five new houses: a single detached house on the frontage, with two pairs of semi-detached houses at the rear. Parking spaces would be provided for each house, with a new access drive and turning head.
7. The 'National Planning Policy Framework' (which was revised in February 2019) has the aim of making effective use of land and encouraging economic activity but it also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12).
8. An emphasis on the importance of good design is also to be found in the Development Plan, notably at Policy CS14 of the 'Mole Valley Core Strategy' and Policies ENV22, ENV23 and ENV24 of the 'Mole Valley Local Plan'.
9. The appeal site has previously been the subject of a project for the construction of six houses (and ancillary works) that was refused planning permission and for which the appeal was dismissed in 2019. It is argued on behalf of the appellant that the previous objections have been addressed by reducing the scale and changing the layout of the proposed development.
10. The new buildings themselves would be constructed in a traditional form that would not be out of place and, in any case, they would be set back from the public highway, behind the frontage development (though nearer to the footpath). Nevertheless, the proposed new development would be dominated visually by the new access driveway, turning head and parking areas, which would create an unduly "hard" character, in marked contrast to the existing setting. Each house would be provided with two parking spaces, with no extra provision for visitors' parking, and, although I note that no objection has been raised to the development by the highways authorities, the intensity of the use of this parking and turning area is likely to reinforce the new, urbanised character.
11. Moreover, the new houses on Plots 4 and 5 would be close to (and overshadowed by) the protected tree on the site, which is to be retained but which would be likely to be the subject of pressure for extensive tree surgery work to be undertaken. In addition, the proposed new dwellings on Plots 1 and 5 would have cramped back gardens, by comparison with nearby properties.
12. Arising from these deficiencies, it can be concluded that, overall, the scheme that is the subject of this appeal still represents an overly intensive development of the site, which would be clearly unsympathetic to its surroundings and would have a significant and harmful impact on the character and appearance of the setting. Thus it would fail to accord with both national and local planning policies that are intended to promote good design in the broadest sense.

13. Evidently, the appeal site lies within an established built up area, which is generally “sustainable” in planning terms, and the proposed development would make a useful addition to the supply of new homes. Moreover, the Council has acknowledged that they are unable to demonstrate a five year supply of land for housing development and, in consequence, an additional presumption in favour of the grant of planning permission applies, as set out in paragraph 11 of the ‘National Planning Policy Framework’.
14. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the surroundings significantly and demonstrably outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR