The Planning Inspectorate

Appeal Decision

Site visit made on 21 December 2020

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/M3645/D/20/3260553
Copper Beech, Brassey Road, Limpsfield RH8 0EU

- 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 Phillip Shalless against the decision of Tandridge District Council.
- The application Ref TA/2020/1068, dated 19 June 2020, was refused by notice dated 18 August 2020.
- The development proposed is a detached triple garage with ancillary residential amenity accommodation above.

Decision

1. The appeal is allowed and planning permission is granted for a detached triple garage with ancillary residential amenity accommodation above at Copper Beech, Brassey Road, Limpsfield RH8 0EU in accordance with the terms of the application, Ref TA/2020/1068, dated 19 June 2020, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL205 Rev C, PL270 Rev D, PL271 Rev D, PL212 Rev C, PL213 Rev C and PL240 Rev D.

    3) Development shall not commence until the tree protection measures detailed in the Arboricultural Method Statement by PJC Consultancy dated 8 June 2020 have been implemented. Thereafter those measures shall be retained and any specified arboricultural supervision or staging of works shall be strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The dwellings in Brassey Road have an individual appearance, but are generally substantial in scale. Some include outbuildings or detached garages within their large gardens. As evidenced by drawing no. PL205 Rev C, the layout and orientation of nearby buildings, and their set back from the road and from other boundaries, is varied. However, most are discretely located within

landscaping. This contributes to the area's locally distinctive, spacious, and verdant character.

4. The proposed garage's apparent scale would be significantly tempered by its set-in to rising ground. Whilst it would have two floors, and its northern elevation would be wider than Copper Beech's front projecting gable, compared to the host property as a whole, the garage would be lower in height, its elevation facing the highway would be significantly shorter, and it would be much smaller in scale. Consequently, it would appear visually subservient to it.

5. Although the garage would be sited forward of Copper Beech's front face, it would still be set well back from Brassey Road behind a frontage hedgerow. As a result of that and its set down, it would be partially hidden in the streetscene.

6. The Tree Retention Plan in the Arboricultural Impact Assessment shows that whilst some Category C trees and shrubs would be removed, the proposed building would still be set within significant landscaping. Notwithstanding the significant changes in levels, having regard to that Assessment, I have no cogent evidence to conclude that retained vegetation close to the boundary would not survive.

7. The proposed building would be set back further from Brassey Road, and further from the nearest side boundary, than 'The Annexe' at Bramble Cottage. Given the area's diverse grain and pattern of development, its siting relative to other buildings and relative to the site's boundaries would not appear out of place.

8. The style and appearance of buildings in the area is varied, and includes gabled, hipped, or half-hipped roofs. Consequently, whilst the proposed building would have a mansard roof in contrast to the host property's mainly gabled roof form, that would not appear incongruous. The same applies to the large first floor openings and Juliet balcony, which would in any event face towards the host's private rear garden.

9. The first floor space is described as ancillary residential amenity accommodation, and planning permission would be required to use this building as a separate dwelling. Relevant planning policies do not require an applicant to demonstrate a need for this development.

10. Amongst other things, and in broad terms, Policy CSP 18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (2014) require development to be of a high design standard which reflects the character, setting and local context of the area. Policy LNP 3 of the Limpsfield Neighbourhood Plan 2018-2033 (2019) takes a similar approach, with proposals expected to fit unobtrusively into the site's curtilage and into the streetscene. For the above reasons, the scheme would not conflict with those policies.

11. Turning to the matter of conditions, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.

12. Given the significant contribution that trees and landscaping make to the area's character and appearance, and that they could be adversely affected from the outset of development, a pre-commencement condition is necessary, broadly as suggested, requiring that the development be carried out in accordance with

the Arboricultural Method Statement. As that statement addresses services provision, changes in levels, and the prohibition of fires within the construction exclusion zone, I have not made separate reference to those matters in my condition.

13. As proposed facing materials are identified on the approved plans, and as some of these differ from the materials on the host property, the Council's suggested condition at 11.b. of the questionnaire is unnecessary. For the reasons set out earlier in my decision, a condition preventing the building's sale and use as a separate dwelling is also unnecessary.

14. For the above reasons, I conclude that the scheme would not harm the character and appearance of the area. Consequently, having regard to all other matters raised, including representations by interested parties, the appeal is allowed.

Chris Couper

INSPECTOR