



Appeal Decision

Site visit made on 8 January 2021

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2021

Appeal Ref: APP/M3645/W/20/3258160

44 Tylers Close, Godstone RH9 8AW

- 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 B Singh against the decision of Tandridge District Council.
 - The application Ref TA/2020/373, dated 21 February 2020, was refused by notice dated 21 April 2020.
 - The development proposed is described as 'Demolition of single storey side extension. Erection of two storey side extension to form new dwelling. Erection of single storey rear extension and rear dormer to existing dwelling.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. To assist my understanding of the cases made by the parties, at my request, the appellant has submitted copies of the following documentation:
 - a) A copy of the drawings for the development that was certified by the Council as being lawful under application TA/2016/2352 (the LDC works); and
 - b) Copies of the drawings subject to planning application TA/2017/1820 and the related appeal decision (APP/M3645/W/18/3198054).

Main Issues

3. Further to one of the Inspector's findings in determining the previous appeal the appellant and the Council agree that the currently proposed development would be not inappropriate development in the Green Belt. I see no reason to degree with that. I therefore consider that the main issues are:
 - the effect of the development on the character and appearance of 44 Tylers Close (No 44) and Tylers Close; and
 - whether the development would make adequate provision for car parking.

Reasons

Character and Appearance

4. No 44 is a two storey, end of terrace house in a terrace of four properties. This property is in an estate that predominantly comprises a mixture of semi-

detached and terraced houses, the latter being short terraces. Throughout Tylers Close the houses either have fully hipped or half hipped roofs.

5. The development would involve the construction of a part two storey and part single storey side extension to accommodate a one bedroom dwelling, together with a single storey rear extension and rear dormer that would be for the use of the occupiers of No 44. The extension accommodating the new house would have a gable ended roof and its front elevation would be set one metre behind No 44's front elevation, while its ridge line would be around 400mm below that of No 44¹.
6. This proposal would in effect involve a consolidation of proposals subject to: the express planning permission (TA/2016/1408) for a hipped roof, two storey side extension and single storey side/rear extension, with No 44's existing hipped roof being retained²; and the LDC works. I saw when undertaking my site visit that the development subject to planning permission TA/2016/1408 has been commenced, following the demolition of a single storey side projection and the laying of foundations and six or so courses of bricks³. The LDC works would involve the undertaking of roof level alterations to create a gable ended roof to facilitate the installation of a rear dormer to accommodate a bedroom.
7. The gable ended roof of the two storey side extension now proposed would depart from the roof design for the extension subject to planning permission TA/2016/1408. I consider that the construction of a two storey building with a gable end, and a very meagre setting down of its ridge line, would leave the terrace at Nos 41 to 44 with an unbalanced roofscape and introduce a roof form that would have an appearance that would be at odds with the hipped or half hipped roofs characterising Tylers Close. I am not persuaded that the modest stepping down of the ridge line for the two storey element of the development would leave it with a clearly subordinate appearance. I therefore consider that this two storey side addition would have an unacceptable appearance, which would adversely affect the look of both No 44 and the streetscene within this part of Tylers Close. No 44 being clearly visible from the pavement, turning head and grassed communal space in the close, as well as the path passing between Nos 44 and 45.
8. I note from the decision for the previously dismissed appeal that the Inspector was concerned by how the access arrangements for the then proposed house would appear in the streetscene. Under that scheme there would have been a door in the new dwelling's front elevation and separate paths leading to the front doors for both houses.
9. It is now proposed that the dwelling would have a side door and that there would be one path with branches serving each of the dwellings. A consequence of the repositioning of the entrance to the new house is that the fenestration in the front elevation at ground floor level would consist of two small windows below two larger first floor windows. That window arrangement would depart from the normal convention for windows in front elevations either being of the same size for each storey or reducing in size with height. I

¹ Based on a comparison of the heights quoted on the physical survey for No 44 and drawing L2363/23 Revision A

² As shown in the front and side elevations included in the appellant's appeal statement

³ As depicted in the photograph included in the planning history section of the design and access statement that accompanied planning application TA/2020/373

consider the window arrangement in the front elevation of the proposed house would look out of place and would compound the adverse effect of the development's reliance on a gable ended roof form.

10. I recognise that a rear dormer could be constructed under the permitted development rights available for such additions, with such an addition being subject to a LDC. However, the dormer that forms part of the appeal development would be of a very boxy form and would be readily apparent from the public footpath running to the side of No 44. I therefore consider that the inclusion of a rear dormer as part of the appeal development would not make a positive contribution to No 44's appearance or the appearance of the nearby area.
11. I therefore consider that the new house would be of a poor design and that the shortcomings of its appearance together with the introduction of the rear dormer would be indicative of the appeal proposals, as a whole, representing an unduly intensive form of development for this site. I do not share the appellant's view that the development would '... enhance the property itself and the wider streetscene.
12. While the development would result in the sub-division of No 44's plot to create two dwellings, I consider that the plots for each of the resulting dwellings would not appear as being out of character. That is because with the availability of the hard and soft boundary treatments shown on the proposed site layout plan⁴ it would not readily be apparent that two dwellings had been formed from the sub-division of No 44's plot. Albeit I would caveat that view on the basis of there being a need to remove what appears to be a fairly recently constructed path immediately adjoining the boundary shared by Nos 43 and 44. That second path appearing not to have been present when the previous appeal was determined, given the Inspector's reasoning in paragraph 8 of his decision.
13. On this issue I conclude that the development would have an unacceptable effect on the character and appearance of No 44 and Tylers Close, which could not be overcome through the imposition of reasonable planning conditions. The development would therefore be contrary to Policy CSP18 of the Tandridge Core Strategy of 2008 (the CS) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029 adopted in 2014 (the TLPDP). That is because the development would not be of a high standard/quality of design and would not integrate effectively with its surroundings. The development's built form would also not be in keeping with the prevailing streetscape, with its design having an appearance that would be indicative of there being unacceptable intensification. There would also be some conflict with the requirements stated in section B of Policy DP12 of the TLPDP, because I have found that the proposed infilling development in a 'defined village' in the Green Belt would not be in character with this part of Godstone.
14. I consider that the harm to the character and appearance of No 44 and Tylers Close arising from this development would be a substantial adverse effect.
15. The first reason for refusal cites conflict with Policy DP8 (residential garden land development) of the TLPDP. However, Policy DP8 refers to garden land development considerations for towns and villages listed in this policy's

⁴ Drawing L2363/22 Revision B

wording and Godstone is not mentioned. I therefore consider that Policy DP8 is not directly relevant to the consideration of this proposal.

16. As I have concluded that the development would not be of a good design, failing to add to the overall quality of the area, I consider that this proposal gains no support under Section 12 (Achieving well-designed places) of the National Planning Policy Framework (the Framework), most particularly paragraph 127.

Parking

17. To comply with the Council's adopted parking standards⁵ for the existing and new dwellings three and a half spaces should be available. That being two spaces for the existing house and one and a half spaces for the new dwelling. Parking for No 44 is already available within the shared on-street parking area serving the eighteen dwellings at the southern extremity of Tylers Close, Nos 41 to 58. The change in parking demand associated with the proposed development would be generated by the additional house.
18. No on-site parking would be available for the new house and there would therefore be reliance on using the shared on-street parking area. That parking area's use was surveyed on two consecutive mid-week nights⁶ using the 'Lambeth' methodology. The results from that survey indicate that between midnight and 2.00 AM, part of the overnight peak period for residential parking under the London Borough of Lambeth Council methodology⁷, there was 82% occupancy of the available on-street parking within this part of Tylers Close.
19. The provision of an additional dwelling would potentially add to the demand for parking in this part Tylers Close. However, that demand would be modest and I consider it would not equate to a level that would cause parking stress for the other residents relying on the shared parking area to meet their parking needs. That being because the parking survey results suggest that close to one fifth of the on-street parking would be available during the peak times for residential parking to meet the modest demand generated by this development.
20. While the development would make no provision for on-site parking, I conclude that would be adequate under the circumstances explained above. Even though the development would make no provision for on-site parking, I consider that there would be no unacceptable conflict with Policy CSP12 of the CS Strategy and Policy DP5 of the TLPDP. That is because there would be sufficient on-street parking to meet the needs of the development, without impeding the free flow of traffic using the public highway or the creation of hazards for other road users, with the affected part of Tylers Close being a residential no through road.

Planning balance and conclusions

21. For the reasons given above I have concluded that the development would have a substantial adverse effect on the character and appearance of No 44 and the nearby part of Tylers Close. That adverse effect of the development

⁵ The Tandridge Parking Standards Supplementary Planning Document of 2012

⁶ 27 and 28 November 2019

⁷ A methodology often considered to be appropriate for undertaking such surveys

would give rise to conflict with Policy CSP18 of the CS and Policy DP7 of the TLPDP. I consider those development plan policies are consistent with the national policy set out in Section 12 of the Framework that requires new development to be of 'good design'. I consider that the development's harmful effects attract very substantial weight and importance in the planning balance.

22. I have found that there would be no unacceptable on-street parking effect arising from this development. In that regard I consider there would be no unacceptable conflict with the development plan and that is something weighing significantly for the development.
23. While the development would be in accordance with a number of the policies of the development plan, I nevertheless conclude this development would be in conflict with the development plan when taken as a whole.
24. The Council recognises that it cannot currently demonstrate a five year supply of deliverable housing sites. That means for the purposes of paragraph 11 of the Framework, most particularly sub paragraph d)ii, considerations needs to be given as to whether the presumption in favour of granting planning permission for sustainable development should be applied.
25. The provision of an additional dwelling within this part of Godstone would assist with increasing the supply of housing in the Council's area, while providing some support for Godstone's vitality. There would therefore be some economic and social benefits associated with the construction and occupation of the extra dwelling, resulting in some compliance with the national policy stated in the Framework.
26. However, this development's contribution to improving the housing supply position in the Council's area would be extremely small. I am also of the view that because of this development's scale it would make a very modest contribution to the Godstone's vitality and that of the wider local area. While the occupiers of the new dwelling would enjoy generally good access to day to day services and facilities, I consider that only weighs moderately for the development because that would generally be true for the occupiers of any new dwellings in Godstone.
27. Given the visual harm I have identified for this development, I consider that it would not amount to an effective use of land and does not attract any significant weight under Section 11 of the Framework. As I have explained above, I consider the development's appearance would give rise to unacceptable conflict with the policy contained in Section 12 of the Framework. I am therefore of the view that there would be significant conflict with the policies in the Framework, when taken as a whole, and that the adverse impacts of the development would significantly and demonstrably outweigh its benefits rendering this an unsustainable form of development.
28. I am therefore of the view that there are no considerations indicating that a decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR