
Appeal Decision

Site visit made on 22 November 2021

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10th December 2021

Appeal Ref: APP/M3645/W/20/3265153

Coulsdon Lodge, Coulsdon Road, Caterham, Surrey CR3 5YA

- 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 Look Ahead Developments Ltd against the decision of Tandridge District Council.
 - The application Ref TA/2019/1538, dated 19 August 2019, was refused by notice dated 3 July 2020.
 - The development proposed is the construction of 8 supported housing units and 5 market houses following demolition of the existing built form.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of 8 supported housing units and 5 market houses following demolition of the existing built form at Coulsdon Lodge, Coulsdon Road, Caterham, Surrey CR3 5YA in accordance with the terms of the application, Ref TA/2019/1538, dated 19 August 2019, subject to the conditions set out in Schedule 1 of this decision.

Application for costs

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue in this appeal is the effects of the proposed access on safety and the amenity of neighbours.

Reasons

4. The appeal site accommodates a large detached building formerly used as a care home but now vacant. The site sits within the urban area of Caterham, adjacent to the junction of Coulsdon Road and Chaldon Road. The site has an access from the residential roads of Oakgrove and Blackthorn Road to the north. The site contains numerous trees and dense vegetation on parts of the site and particularly along its south and east boundaries with Coulsdon Road and Chaldon Road.
5. There is an existing gated access to the site from Blackthorn Road. Blackthorn Road itself contains 4 houses and provides a shared surface for vehicles and pedestrians. The proposed development would emerge from the appeal site

onto Blackthorn Road and then onto Oakgrove, from where it would access the wider highway network.

6. The assessment submitted by the appellant is that the proposal would be likely to generate about 9 additional vehicle movements (ie 4-5 vehicles coming and going) compared to the use of the site as a care home. This is a relevant comparison as, although the existing building is vacant, it is understood that it would be possible for such a use to be recommenced with access onto Blackthorn Road. In my judgement an additional 9 movements over a 24 hour period would have an immaterial effect on the living conditions of those existing residents at Blackthorn Road.
7. The appellant's analysis indicates that Blackthorn Road and Oakgrove could safely accommodate the numbers, types and sizes of vehicles that would be likely to visit the appeal site. Forward visibility from the appeal site along Blackthorn Road is acceptable and the junction with Oakgrove is wide and provides good visibility in both directions. The widened access would allow the expected vehicles to enter and leave the site safely and taking account of likely vehicle speeds, I would not envisage any safety concerns relating to the cars parked either side of Blackthorn Road and I note that the shared surface would still only accommodate a modest number of residential properties. The proposal would contain provision for 25 parking spaces which exceeds the Council's requirement of 23 and so I would not expect overflow parking to take place.
8. Therefore, in relation to the effects of the finished development, I consider that the increase in vehicle movements, when compared to a possible care home on the appeal site, would be very modest indeed and immaterial. In the circumstances set out, I consider that there would be no unacceptable effects on the safety of vehicles, drivers or pedestrians. Furthermore, the living conditions of neighbours would not be unacceptably affected by the proposal.
9. In relation to the construction phase of the development, I note that the County Highways Authority has not raised an objection and has recommended that a suitable condition could satisfactorily control this aspect of the scheme. Taking account of the nature of the construction process as well as its temporary nature, I am satisfied that a suitable condition could be imposed which would reduce disruption to an acceptable level. Therefore, taken as a whole, I find no conflict with Tandridge District Core Strategy 2008 Policies CSP12 and CSP18 and Tandridge Local Plan Part 2: Detailed Policies 2014 Policies DP5 and DP7.

Conditions

10. The Council has submitted a schedule of preferred conditions and I have had regard to these along with the advice in the National Planning Policy Framework and the Planning Practice Guidance. I shall include a condition which identifies the approved drawings, for the sake of certainty. So that the proposal has an acceptable effect on the highways network, I shall include a condition which requires the existing access to be closed off and also to cover arrangements during the construction phase of the development. In order to ensure that the proposal has an acceptable effect on the locality I shall include conditions relating to the external materials for the buildings, tree and landscape works and restrictions to extensions and outbuildings that would otherwise be permitted development.

11. To ensure that the site is appropriately drained I shall add conditions in this respect. It is necessary to ensure that parking and cycle storage/parking is available to future residents in a timely fashion and I shall attach suitable conditions. For reasons of sustainability I have attached conditions regarding electric vehicle charging points and the inclusion of photo-voltaic provisions.

Conclusions

12. A number of other issues are raised by nearby residents, including the effects on trees, drainage and neighbours' amenity. I have noted the Council's own analysis of these matters wherein they find no unacceptable effects. From my own consideration of all other matters, I find no evidence which would lead me to take a different view to that set out by the Council in relation to those other issues.
13. In relation to the effects of the proposed access, I find that there would be no unacceptable effects on neighbours or on the safety of vehicles and pedestrians. As a consequence, the appeal is allowed.

T Wood

INSPECTOR

SCHEDULE 1, CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) This decision refers to drawings numbered S101, S102, 18274/C101 Rev B, 18274/C102, P101 E, P102 C, P103 B, P104 D, P105 B, P106, P120,669-LA-P-02 (scanned on 9th April 2020 and 669-LA-P-03). The development shall be carried out in accordance with these approved drawings.
- 3) Prior to the commencement of the development hereby approved the existing vehicular access onto Chaldon Road as shown on Plan No 18274/C101 Rev B shall be closed and the pavement and kerb reinstated in accordance with adopted highway standards.
- 4) No works above ground level shall commence until samples of the external facing materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
- 5) No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking and turning for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) measures to prevent the deposit of materials on the highwayhas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.
- 6) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a greenfield discharge rate of 1.4 litres/sec or a staged rate as detailed on Table 3 of the Drainage Strategy Drawing (Rev A).
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- 7) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
- 8) Prior to the commencement of the development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved by the Local Planning Authority in writing. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the above Ecological Appraisal by eco support Ltd and should include the following:
- I. Ecological impact avoidance and mitigation measures
 - II. Description and evaluation of biodiversity features to be managed and created.
 - III. Design, number and location of proposed ecological features, where appropriate.
 - IV. Aims and objectives of management.
 - V. Appropriate management options to achieve aims and objectives.
 - VI. Measures for securing biodiversity enhancements in perpetuity.
 - VII. Ongoing monitoring and remedial measures.
 - VIII. Details of the body or organisation responsible for implementation of the LEMP.
- Once approved, the LEMP shall be implemented wholly in accordance with the approved details and retained for so long as the development exists
- 9) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
- 10) No works above ground level shall commence until details of the siting of the photovoltaics have been submitted to and approved in writing by the

Local Planning Authority. The photovoltaics shall achieve a 20% reduction in carbon dioxide emissions as set out in the Energy Statement (Doc Ref Z28013). The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

- 11) No works above ground level shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- proposed finished levels or contours
 - means of enclosure
 - car parking layouts and bollards
 - other vehicle and pedestrian access and circulation areas
 - hard surfacing materials
 - minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the District Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

- 12) Prior to works above ground level the following details shall be submitted to and approved by the Local Planning Authority in writing:
- Bicycle storage;
 - Balcony screening.
 - Electric Vehicle Charging Points

Prior to the occupation of the development the above shall be provided onsite in accordance with the approved details and retained thereafter in the approved form.

- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the dwelling(s) hereby permitted shall be carried out without the express permission of the Local Planning Authority.

- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds, greenhouses or other ancillary domestic outbuildings shall be erected apart from those expressly authorised as part of this permission without the express permission of the Local Planning Authority.