



Appeal Decision

Site visit made on 31 August 2022

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th October 2022

Appeal Ref: APP/L3625/W/21/3287007

Station Buildings, Fadi Tailoring Ltd, Cross Road, Tadworth KT20 5SP

- 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 Fadi Dabbagh of Fadi Tailoring Ltd against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/00614/F, dated 11 March 2021, was refused by notice dated 18 June 2021.
 - The development proposed was originally described as demolition of existing single storey commercial building E(c)(iii), timber fencing and brickwall. Erection of a new two storey building consisting of a commercial unit E(c)(iii) to the ground floor with a separate area for self-service vending machine and a self-contained residential (C3) studio flat above with associated cycle parking and waste storage space. As amended 24/05/2021.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The evidence before me indicates that the self-service vending machine was removed from the proposal during the planning application process.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, including the setting of the Tadworth Conservation Area.

Reasons

4. The appeal site occupies a prominent roadside location and comprises a modest, single storey building, immediately bound on 3 sides by Tadworth Conservation Area. The attractive and largely symmetrical former Railway Station Building abuts the appeal site, and together with the small shopping parades which lie to the north east and south west provide a central focus to the Conservation Area (CA), contributing to its overall significance. Although the character and appearance of the site's immediate surroundings is mixed, the traditional building design, commonality of materials and alignment of buildings along the street positively contributes to the character and appearance of the area.
5. Unlike the simplistic architecture of the former Station Building, the proposed development would have a complex roof structure resulting from multiple, jarred pitches and rooflights whilst the proposed eaves height would exceed the eaves height of the adjoining building. Accordingly, whilst it is

acknowledged that the building is not listed and that the general siting of the proposal together with external materials would be largely in keeping with the existing development pattern, the proposal would read as a discordant and dominant form of development. It therefore represents neither high quality or innovative design.

6. Reference is made by the appellant to the building located on the opposite end of the row. Whilst acknowledging that the proposal would incorporate similar features, such as a front gable, the building concerned has a simplistic, dual pitch and is of a subordinate scale to the Station Building. As such, it is not dominant or visually incongruent within the context of its surroundings. It therefore differs to the appeal proposal.
7. Whilst it may be the case that the existing building is in a poor state of decoration, it is not unattractive. In any case, I am not persuaded that the appeal proposal by virtue of the proposed design would represent an improvement or enhancement to the CA.
8. Reference is also made by the appellant to local precedents, and, whilst the relevant decision notices have been provided, there are no accompanying plans. Although the notices and appeal decision relate to residential development albeit of varying scales, with the exception of example C, the sites are located within different areas of the Borough and therefore do not form part of the character and appearance of the area of the appeal site. In respect of example C, this is not located within immediate proximity of the appeal site or CA boundary. Accordingly, I give these examples limited weight in my considerations.
9. Given the complex roof design and proposed eaves height, the appeal proposal would dominate the former Station Building and disrupt the existing symmetry thus weakening the Station Building's contribution to the character and appearance of the CA. The appeal proposal would therefore have a negative effect on the significance of a designated heritage asset and would result in less than substantial harm in the Framework's terms given the small-scale nature of the proposal. Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (the Framework) indicates that this harm should be weighed against the public benefits of the proposal. In this instance, whilst, the proposed development would make effective use of a brownfield site and contribute to housing supply, this would make no meaningful difference to housing supply. Accordingly, I find that there would be no public benefits that would offset the identified harm.
10. Overall, I find that the proposed development would harm the character and appearance of the area, and also fail to preserve or enhance the character and appearance of the CA. The proposed development would therefore be contrary to Policies DES1 and NHE9 of the Reigate and Banstead Local Plan Development Management Plan 2019. Amongst other aspects, these policies respectively seek to ensure development is of a high quality design and makes a positive contribution to character and appearance whilst also protecting, preserving and wherever possible enhancing designated heritage assets. It would also fail to comply with the design objectives within the Framework.

Other Matters

11. The appellant alleges that the Council failed to provide constructive pre-application advice contrary to engagement principles within the Framework however, the Council's evidence indicates that no advice was sought by the appellant but that discussions took place during the application's determination. In any case, this has no bearing on my considerations of the planning merits of the proposal.

Conclusion

12. In concluding this appeal, for the reasons outlined above, having regard to the development plan as a whole and all other relevant material considerations including the Framework, the appeal is dismissed.

H Wilkinson

INSPECTOR