



Appeal Decision

Site visit made on 18 July 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2023

Appeal Ref: APP/M3645/D/23/3320149

2 St Michael's Road, Caterham, CR3 5NT

- 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 & Mrs Sat Patel against the decision of Tandridge District Council.
 - The application, Ref TA/2022/887, dated 24 June 2022, was refused by notice dated 1 March 2023.
 - The development proposed is a two storey side and rear extensions and ground floor rear extension
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and rear extensions and ground floor rear extension at 2 St Michael's Road, Caterham, CR3 5NT in accordance with the terms of the application Ref TA/2022/887, dated 24 June 2022, subject to the conditions set out in the attached Schedule.

Main issues

2. The main issues are the effect of the proposal on: (a) the character and appearance of the host property and surrounding area; (b) the living conditions of neighbouring residents in Coulsdon Road with particular reference to light and visual impact, and (c) the adequacy of parking facilities.

Reasons

Character and appearance

3. The appeal property is a detached dwelling, set in a predominantly residential street containing a variety of house types including detached, semi-detached dwellings and bungalows. It is suggested in the representations that the dwelling was built in the 1960's, and its design is fairly typical of that era.
4. The dwelling, notwithstanding its' greater width and height if extended, would largely maintain its current form and shape when viewed from the front. Given the two-storey extension proposed at the rear, the side elevations would look bulkier, but not unacceptably so in my view. The single storey extension at the rear would be subservient in scale to the host property.
5. Such is the variety of built forms in the locality that the proposals if built would have little, and certainly not a harmful impact on the public realm. I do not share the Council's view that overdevelopment would occur. In this respect,

the remaining amenity area, would be more than sufficient to serve the requirements of future residents of a three bedroomed dwelling.

6. I therefore conclude that the development would sit acceptably in its visual and spatial context without harming the character and appearance of the host property or its surroundings. Accordingly, no conflict arises those provisions of policies Policy CP18 of the Tandridge District Core Strategy (2008) & Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) directed to development achieving high quality design and respecting local character and distinctiveness.

Living conditions

7. The Council's main concern relates to the visual impact of development on the closest residents in Coulsdon Road whose gardens back onto the appeal site. Some residents in that street have also expressed concern as to loss of light.
8. The residents of Coulsdon Road have reasonably lengthy gardens which provide an acceptable level of separation between their dwellings and the flank wall of the appeal property. They are further separated from the appeal site by a private footway. The additional two storey element proposed at the rear, given its limited depth, would not in my view have a materially greater impact on neighbouring residential amenities than the current dwelling. I noted that several of the Coulsdon Road properties had sheds or other structures in their rear gardens, and these, together with the fence at the rear of the gardens would effectively assist in screening the proposed single storey extension.
9. Given the normal path of the sun and orientation of the appeal property in relation to the rear of the Coulsdon Road properties, the latter would not lose either morning or most afternoon sun as a result of this development. The appeal property probably casts some shadow on rear gardens currently from late afternoon onwards, depending on the time of year, but given the position of the proposed extensions, they are unlikely to make matters materially worse. I am not persuaded that any daylight would be lost to the interiors of the Coulsdon Road properties.
10. I conclude that the proposed development would not give rise to harmful effects on neighbouring residents by reason of visual impact or loss of either sun- or daylight. Accordingly, I find no conflict arises with those provisions of Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 directed to safeguarding residential amenity from any adverse effects of development.

Parking facilities

11. The Council's position is that, whilst agreeing that the site could accommodate car parking space for 3 vehicles as required in local guidance, *'there is insufficient turning and manoeuvring space provided'*. Notwithstanding the proposed extensions, the property would remain a three bedroomed dwelling, so no greater car parking requirement arises than at present.
12. Currently, cars park at the side of the house, and a garage at the rear is available. I saw no turning space within the curtilage, so the proposed arrangement would have no greater impact on highway safety than the current. I also saw that the space between the front wall of the house and the

back of footway could accommodate a family car parked at right angles to the highway, without encroaching onto it. I am therefore satisfied having regard to the depth and width of the space at the front of the house that it can accommodate 3 parked cars should the need ever arise, albeit in a different arrangement to that shown on the submitted site plan.

13. I have considered local residents' concerns regarding the demand for on-street parking in the area, but under the terms of the Council's parking standards¹, the development does not give rise to a greater parking requirement than exists at present. It is possible that an on-street parking space may be lost, but the Council has not objected on this basis. I also note that the officer report contains the following statement:

As it is not considered that the likely net additional traffic generation and access arrangements would have a material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.

14. I conclude that sufficient space exists within the site to accommodate the Council's parking requirements without affecting highway safety. Accordingly, no conflict arises with those provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 directed to the provision of adequate parking provision and to ensure that development does not result in additional on-street parking where this would cause congestion or harm to amenity or highway safety.

Conditions

15. The Council's suggested conditions have been considered. A condition in respect of materials is imposed in the interests of visual amenity. For the avoidance of doubt, it is also necessary that the development be carried out in accordance with the approved plans.
16. A further condition is imposed in respect of the proposed fenestration on the western facing flank wall to safeguard neighbouring privacy.

Other matters

17. All other matters referred to in the representations have been considered and I have already dealt with the planning related points raised by neighbours. The rights or otherwise of the appellant to use the private footway is not a matter for me to comment on.
18. Reference has been made to other development plan policies but those I have referred to are considered the most relevant in the particular circumstances of this case. References to the *National Planning Policy Framework* have also been taken into account.
19. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

¹ As contained in the Council's Parking Standards Supplementary Planning Document (SPD) 2012

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Ref C33158 - plan numbers 100 to 109 inclusive.
4. The proposed windows to be inserted in the western facing side elevation shall be permanently glazed in obscured glass and fixed permanently closed prior to the rooms they serve being brought into use.