



Appeal Decision

Site visit made on 31 October 2023

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2023

Appeal Ref: APP/M3645/W/23/3322126

34 Sunnybank, Warlingham, Surrey CR6 9SR

- 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 Ms L Gregory against the decision of Tandridge District Council.
 - The application Ref TA/2022/1446, dated 2 November 2022, was refused by notice dated 3 March 2023.
 - The development proposed is the sub-division of residential curtilage and erection of detached two bed dwelling with associated landscaping works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that there is a draft Tandridge Local Plan that has been submitted to the Planning Inspectorate for independent examination. As the plan has not yet been adopted and there is nothing before me to indicate the adoption process to be in its concluding stages, its emerging policies carry limited weight. I shall consider the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

4. The appeal site comprises part of the rear garden of a semi-detached dwelling on Sunnybank. The garden level rises from the host property up towards Albert Road to the east, from which there is also access to the site. The wider area is residential in character, Sunnybank being lined by 19th and 20th Century housing in a variety of styles, set within plots with front and rear gardens. Albert Road, to the rear of Sunnybank, comprises a cul-de-sac which contains a variety of building styles, including two storey terraced housing to the east side, along with a combination of two storey and single storey houses and garages to the west.
5. The proposal involves the sub-division of the plot and the erection of a part one/part two storey detached dwelling. The building would be set back from Albert Road to allow off-street car parking. Due to the topography of the site, it would appear as a single storey from Albert Road with two storeys to the rear garden elevation. Given that the west side of Albert Road is characterised by single storey houses and garages, often developed on what was once the

garden land of other properties, the size and position of the proposed house from this view would not be out of character with the other garden development fronting Albert Road. However, the appeal site is narrow and the footprint of the proposed building would occupy almost the full width of the plot. This, taken together with the depth of the proposed building, would make it appear as a cramped form of development in relation to the plot size, which would be particularly apparent when experienced from the rear including from the grounds of various Sunnybank properties in the vicinity.

6. There are other examples of residential development to the rear gardens of this part of Sunnybank, although there is no established pattern or form of development. My attention has been drawn to several examples of infill and garden land development in the area. Notably, No. 7 Albert Road, whilst similar in scale and mass to the appeal proposal, is set in a wider plot and as such the developed area is not so dominant in relation to the plot size.
7. Another example I have been referred to, No. 19/21 Albert Road, is the corner plot to the northwest end of the cul-de-sac. This is a substantial, relatively flat plot that has been developed as a single storey dwelling. Its relationship to the surrounding streetscape and rear of Sunnybank is not directly comparable to the appeal site. Similarly, the example on Alexandra Road is a different style of house and has a different context in relation to its plot and surroundings. In any event, I have determined this appeal on its individual planning merits.
8. In terms of its detailed design, the proposed house would contain large expanses of brickwork unrelieved by fenestration or features of architectural interest. The upper level of the rear elevation in particular, with no fenestration or other detail, would create a rather unbalanced appearance and would not result in a design that would sit comfortably with the surrounding context or views between buildings from Sunnybank.
9. For the above reasons, the proposal would cause harm to the character and appearance of the area. The scheme would conflict with Policy CSP18 of the Tandridge Core Strategy 2008 (TCS), Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – detailed policies 2014 (TLP) and the National Planning Policy Framework 2023 (the Framework) insofar as these policies require development to be of a high standard of design that reflects and respects the character, setting and local context, and to not result in overdevelopment or unacceptable intensification due to scale, form, bulk, height, spacing, density and design.

Other Matters

10. I have noted objections raised by interested parties with respect to matters including, but not limited to, the effect of the proposals on parking, highway safety, biodiversity and privacy. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to pursue these matters further here.

Planning Balance

11. The Council acknowledges that it is unable to demonstrate a five-year Housing Land Supply and state that the reported housing land supply is under two years, which represents a significant shortfall. It is also my understanding that the Council has failed to meet its housing delivery targets. Therefore,

paragraph 11d)ii of the Framework is engaged. It requires permission to be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

12. I have identified conflict with Policy CSP18 of the TCS and with Policies DP7 and DP8 of the TLP. Each is consistent with the Framework in the sense that it seeks to ensure that developments are sympathetic to local character, including the surrounding built environment. Thus, I apportion significant weight to these identified policy conflicts and to the associated harm that would be caused to the character and appearance of the area.
13. Nevertheless, the proposal aligns with some of the core principles of the Framework in that it is located in an urban area where there is good access to facilities and employment. Indeed, the proposal would boost the supply of housing upon a site that occupies an accessible central location in the context of a significant supply shortfall. Whilst this attracts considerable weight as a scheme benefit, a single additional windfall dwelling would not, I note, make a noticeable difference in reducing the housing supply shortfall that exists.
14. Some socio-economic benefits would also stem from employment associated with the construction phase and future occupants would bring some trade to nearby shops and services. These benefits attract limited weight given the scale of development under consideration. Whilst my attention is necessarily focussed upon the planning merits of the scheme before me, I acknowledge the personal statement that has been submitted by the appellant outlining their family circumstances, local connections and need for the dwelling and I attach some, albeit limited, weight to these circumstances in the overall planning balance.
15. When assessed against the policies in the Framework taken as a whole, the significant adverse impacts to the character and appearance of the area would significantly and demonstrably outweigh the scheme's benefits, even when considered on a cumulative basis. Therefore, the presumption in favour of sustainable development, as set out in the Framework, does not apply. Indeed, the scheme conflicts with the development plan when read as a whole and material considerations, including the Framework, do not lead me to a decision otherwise.

Conclusion

16. For the above reasons, the appeal is dismissed.

L Francis

INSPECTOR