



Appeal Decision

Site visit made on 30 January 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2024

Appeal Ref: APP/M3645/D/23/3328817

91 Chestnut Copse, Hurst Green, Surrey, RH8 0JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Brian Allen against the decision of Tandridge District Council.
- The application Ref TA/2023/346, dated 20 March 2023, was refused by notice dated 26 July 2023.
- The application sought planning permission for Demolition of existing garage. Erection of part single/part two storey side and rear extension. Formation of additional hardstanding without complying with conditions attached to planning permission Ref TA/2016/1676, dated 22 February 2017.
- The conditions in dispute are Nos 2 and 3 which state that:

2. This decision refers to the drawing numbers numbered BTA 002 Rev A, BTA 004 Rev A, BTA 001 Rev C and BTA 003 Rev D and the red edged site location plan scanned 28th December 2016 and 17th February 2017. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

- The reasons given for the conditions are:

2. To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the development plan.

3. To ensure that the new works harmonise with the existing building to accord with Policy DP7 of the Tandridge Local Plan Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy 2008.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. As set out above, planning permission was granted in 2017 for the demolition of existing garage, erection of part single/part two storey side and rear extension and formation of hardstanding. Planning permission was granted subject to 3no. conditions: No 1 being the standard time limit for implementations and nos 2 and 3 as described above.
3. There are a number of key differences between the approved scheme and the proposal before me. The proposed amended drawings include the alteration of the two storey side extension to include a gable end as opposed to the approved half hip, together with a change from tile hanging to timber embossed Upvc cladding at first floor on the front elevation and on part of the side and rear elevations. A small window on the front elevation of the extension has also been omitted from the revised drawings. The proposal also seeks to add a timber porch together with a tiled roof overhang with timber supports across part of the front elevation.
4. The development has commenced with the extension partially constructed and the porch and overhang structure in place.

Main Issue

5. The main issue is the effect of non-compliance with conditions nos 2 and 3 of planning permission TA/2016/1676 on the character and appearance of the host dwelling and surrounding area.

Reasons

6. The appeal concerns a two storey, semi-detached dwelling with a gable end, located in a road comprising of similar properties. A distinctive characteristic of the area is the first-floor tile hanging on the front elevations of the properties.
7. The appeal property is in a part of Chestnut Copse which is characterised by semi-detached dwellings with simple pitched roofs and gable ends. Whilst the approved drawings show the two storey extension to have a half hip, the proposed gable end would reflect the character and appearance of the host dwelling and surrounding dwellings. I therefore find this aspect of the proposal to be acceptable.
8. The approved plans detailed a small window in the front elevation of the proposed extension which is now shown to be omitted. The removal of this window and the absence of any other detailing would be detrimental to the appearance of the extension, resulting in a bland elevation facing the road which I find would be harmful to the character and appearance of the host dwelling and the surrounding area.
9. The proposal is also to replace the tile hanging on the front elevation of the dwelling with timber embossed Upvc cladding, with the same cladding also proposed on part of the side and rear elevations of the extended dwelling.
10. Tile hanging is a distinctive local characteristic and its replacement with extensive areas of cladding would stand out as being particularly prominent and incongruous in appearance. Moreover, the proposed cladding on the appeal property would result in an unbalanced appearance with the adjoining semi which also has matching tile hanging to its front elevation. I therefore conclude

that the proposed change of materials to cladding would be harmful to the character and appearance of the existing dwelling and the surrounding area.

11. A porch, with a tiled roof and brick and timber supports has been constructed at the property. The drawings show the porch to have a depth of about 1.2m and an overall width of about 2.5m. There are some examples locally of porch additions however, the depth and width of the porch combined with the prominent brick and timber supports results in a highly dominant structure. Moreover, the adjacent overhanging tiled roof supported by timber posts further detracts from the simple architectural composition of the host dwelling. Thus, I find that the proposed porch, together with the overhang and timber supports, combine to form an incongruous addition which is harmful to the character and appearance of the existing dwelling and the surrounding area.
12. I therefore consider that the non-compliance with condition nos 2 and 3 of planning permission TA/2016/1676 as proposed, would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Thus, the proposal conflicts with Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 – 2029 (adopted July 2014) and Policies CP18 and CP21 of the Tandridge District Core Strategy (adopted 15 October 2008). Together these policies expect new development to be of a high quality design which reflects and respects the existing character, setting and local context.

Other Matters

13. I acknowledge the photographs of other developments in the area provided by the appellant, including a wide variety of front porches. Most of these examples are taken from other roads and therefore have a different context to that of the appeal site. I do however acknowledge the range of front porches displayed in the local area, although I have not been provided with any further details, including whether or not they benefit from planning permission. I therefore place only limited weight on these examples as I am required to determine the appeal on its own merits.
14. With regard to the examples of cladding, the single storey cladding to the side extension of 24 Chestnut Copse is not as prominent in the street scene as the proposed first floor cladding at the appeal property. I acknowledge that the cladding at 83 Pollards Oak Road is prominent in the street scene and has resulted in an unbalanced appearance with the adjoining semi which has a rendered/painted front elevation. However, the houses in Pollard Oak Road are more varied in terms of their elevational treatment than those in Chestnut Copse and accordingly, the cladding at No 83 has a lesser impact on the street scene than the appeal proposal.
15. With regard to the cladding to the detached house at 346 Mill Lane, I note that the character and appearance of the adjacent houses are also varied and accordingly, this example is not of direct relevance to the appeal proposal.

Conclusion

16. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR