



Appeal Decision

Site visit made on 22 January 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13.02.2024

Appeal Ref: APP/M3645/D/23/3334259

7 Tydcombe Road, Warlingham, Surrey, CR6 9LU

- 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 S Bishop against the decision of Tandridge District Council.
 - The application Ref TA/2023/1184, dated 29 September 2023, was refused by notice dated 23 November 2023.
 - The development proposed is the erection of a single-storey rear extension, side extension, loft conversion with 4 new dormers, raise ridge and eaves height, erection of detached garage and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey rear extension, side extension, loft conversion with 4 new dormers, raise ridge and eaves height, erection of detached garage and associated landscaping at 7 Tydcombe Road, Warlingham, Surrey, CR6 9LU in accordance with the terms of the application, Ref TA/2023/1184, dated 29 September 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 2322 001, 2322 002, 2322 101, 2322 102, 2322 103, 2322 104, 2322 105 and Tree Protection Plan UA/TPP/1 Rev 1.
 - 3) The materials to be used in the construction of the external surfaces of the detached garage hereby permitted shall match those used on the dwelling at 7 Tydcombe Road as hereby permitted to be altered and extended.
 - 4) No demolition or building operations shall start until the tree protection measures detailed within the approved Tree Protection Plan (UA/TPP/1 Rev 1) and Arboricultural Method Statement contained within the *Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan* dated 27 September 2023 and prepared by Usherwood Arboriculture have been implemented. Thereafter these measures shall be retained and any specified staging of works strictly adhered to throughout the course of development and shall not be varied without the written agreement of the Local Planning Authority. In any event, the following restrictions shall be strictly

observed unless otherwise agreed by the Local Planning Authority: (a) No bonfires shall take place within the root protection area (RPA) of any retained trees or within a position where heat could affect foliage or branches. (b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees. (c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

Main Issue

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

Reasons

3. The appeal property is a two-storey, detached dwelling located within a residential area comprising an eclectic mix in terms of age and appearance of principally large, detached homes on generous plots with grass verges to the roadsides. Some properties have open plan frontages, others are enclosed by tall vegetation. The proposal is two-fold. Firstly, extensions to the 1970s period dwelling are proposed front and rear to restyle its appearance. Secondly, a detached double width garage is proposed in front of the dwelling nearest to the side boundary of the appeal site shared with 8 Tydcombe Road and set behind a new palisade front boundary fence with two brick entrance piers and entrance gates.
4. The Council has raised no issue with the extensions and alterations that are proposed to the dwelling, or with the proposed front boundary enclosure. I have no reason to disagree. Although the proposal would significantly alter the appearance of No 7, its remodelled form would reflect the mixed style and scale of buildings locally, appearing well-proportioned and comfortable in its setting, including at roof level where dormer windows are proposed to the rear. Similarly, the proposed enclosure to the front would not be out of keeping with the range of different front boundary enclosures along Tydcombe Road and the immediately surrounding area.
5. The Council has argued that no other properties within the immediate area of the appeal property have garages set forward of the principal elevation of the dwelling. For this reason, they consider that the garage would be incongruent within the street scene and disruptive to the symmetry of the appearance of the dwelling.
6. During my visit I walked the length of Tydcombe Road. It takes a number of turns but its character, including within surrounding similar roads, is consistent throughout. There is no regimented pattern to the development in terms of either layout or property styles. I found the area's charm derived from its roadside verges in place of footpaths, combined with its mix between large homes secluded behind dense and mature vegetation in places, with prominent buildings open to view elsewhere. Building lines vary considerably. Some properties have large and prominent wings projecting forwards including garages, others have detached outbuildings in various positions. The proposed garage would introduce a new built form forward of No 7. This would inevitably change the street scene at this point. However, it would not introduce a feature that would be alien either in terms of the appeal site itself, or the wider area. It would merely add to the area's mix.

7. The garage would be appropriately domestic in scale and function, and constructed of materials that would match the remodelled appearance of the dwelling. I am unable to place any significance to the proposed symmetry to No 7, which is not an important defining feature generally of local buildings. In any case, as a detached building that would be well separated from the dwelling's front elevation, I cannot identify how the garage would affect the dwelling's appearance to any significant degree when viewed within the street scene. It would appear as a subservient feature in the foreground and although it would break up some views of the dwelling from some vantage points, this would be neither unusual nor harmful.
8. I am satisfied that the proposed garage would be comfortable in its setting, reflective of the area's established character and pattern of development. As such, I find overall that the proposal would offer no conflict with Policy CSP18 of the Tandridge District Core Strategy 2008 or Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies adopted in 2014 as far as they both require new development to display a high quality of design that reflects and respects the character and local distinctiveness of an area.

Other Matters

9. I have noted an objection from an occupier residing behind the appeal site and concerned with the potential for overlooking. The proposal would include new windows to habitable rooms at roof, second-floor level to the rear. The outlook from these would be directed down the rear garden of the appeal property and towards the backs of properties in Overhill. However, due to the depth of the appeal property's rear garden and the separation distances involved, I am satisfied that there would be no harm to any nearby occupiers' living conditions in terms of privacy through overlooking. I note the Council raised no concern in this regard.

Conditions

10. The Council has suggested some conditions in the event I allow the appeal. I have considered these having regard to the advice contained within the Planning Practice Guidance and the National Planning Policy Framework. A condition specifying the relevant plans with which the scheme should accord is necessary as this provides certainty.
11. The proposal involves a total remodel of the existing dwelling. Given this, and the mixed palette of materials locally, I find no reason to require the development to be carried out in materials that would match the existing building. However, in the interest of maintaining the character and appearance of the area, I have imposed a revised version of the Council's suggestion which requires the garage to be constructed with materials that would match the dwelling. For the same reason it is necessary to impose a condition to protect existing trees on the site in accordance with the appellant's submitted Tree Protection Plan and Arboricultural Method Statement.

Conclusion

12. For the reasons given, I find that there would be no harm to the character or appearance of the area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR