



Appeal Decision

Site visit made on 13 February 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2024

Appeal Ref: APP/P3610/W/23/3324358

1 Limecroft Close, Ewell, Surrey KT19 9RE

- 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 Bluecrest (Limecroft) Land Ltd against the decision of Epsom and Ewell Borough Council.
 - The application Ref 23/00266/FUL, dated 6 March 2023, was refused by notice dated 3 May 2023.
 - The development proposed is the development of a single two-bedroom dwelling with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As a part of their appeal submission the appellant has provided an Arboricultural Impact Assessment. The report appears to resolve the Council's second reason for refusal, since the Tree Officer raised no objection to the proposal subject to conditions. I see no reason to disagree and, accordingly, I have not considered this matter any further.
3. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. The parties have had the opportunity to comment on this as part of their appeal submissions. I have had regard to the revised Framework in my decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site, which comprises part of the rear garden of 1 Limecroft Close (No 1), has a vehicular access off Plough Road. It accommodates a modest single storey detached garage. The opposite side of Plough Road comprises, in the site's vicinity, a row of terraces and a pair of semi-detached dwellings next to the pavement, as well as a detached dwelling with a shallow frontage. The area comprises a series of closes that run off Plough Road, which acts as a spine road. The corner plots on these closes have their side boundaries adjacent to Plough Road, so their deep rear gardens provide some spaciousness to the street scene.

6. Plough Road has some examples of Victorian properties, whereas the closes comprise 1930s-1950s dwellings. The dwellings are finished in different materials, including brick, render and timber board.
7. Policy DM16 of the Development Management Policies Document 2015 (DMPD) states that there will be a presumption against the loss of rear domestic gardens due to the need to maintain local character, green infrastructure and biodiversity, amongst others.
8. The proposal would be adjacent to the back end of the gardens of No 1 and of No 2 Worthfield Close, thereby disrupting the surrounding pattern of development. The proposed subdivision would result in a plot significantly smaller than the prevailing size of the surrounding plots and, additionally the dwelling would be built into the newly created common boundary with No 1. Therefore, the proposal would result in a cramped form of development that would appear out of context with its surroundings.
9. The proposal would provide a break in the fence that runs adjacent to Plough Road. However, it would introduce a significant amount of built form into the plot, thus unacceptably reducing the contribution it makes to the spaciousness in the street scene.
10. The building would be externally finished in appropriate materials and the design seeks to incorporate some elements from the Victorian properties on the opposite side of Plough Road. However, the two-storey dwelling would appear rather tall and narrow, and alone, which would increase its sense of isolation from the terrace and therefore its incongruity within the street scene.
11. Policy DM16 goes on to say that, in exceptional cases, modest redevelopment on back land sites is supported. However, the site is part of the gardens which front Plough Road which overall are an important element of green infrastructure. Given the, albeit modest, loss of garden space, the exceptional circumstances to allow for the redevelopment of rear garden plots is not met in this case.
12. Whereas it may be the case that the Epsom and Ewell's Single Plot and other types of Residential Infill Development Supplementary Planning Guidance 2003 offers in principle support to the development of individual housing plots, this guidance is of quite a vintage and would not alter my conclusion on this appeal.
13. My attention is drawn to other dwellings that have been granted in the vicinity which appear to have resulted in the loss of some garden land. However, 41 Plough Road reads as a continuation of the pattern of development on this side of Plough Road. 1 Worthfield Close fronts this close other than Plough Road and 1 Clandon Close is in a different context. As such, these developments would not be directly comparable with the appeal proposal.
14. One property that is similarly located is 2 Plough Road. However, there are single storey garages as well as walled gardens opposite this property, so its surrounding context is different to that of the appeal proposal. Still, given its set-back from the pavement, position, limited height and hipped roof shape, the bungalow respects the spaciousness of this part of the street scene. Additionally, the bungalow appears to have been constructed prior to the current development plan, so it would have been assessed against a different

set of policies. For these reasons, this development would offer little justification to the appeal proposal.

15. In conclusion, the proposal would have a harmful effect on the character and appearance of the area, in conflict with Policies CS1 and CS5 of the Epsom and Ewell Core Strategy 2007 and with Policies DM9, DM10 and DM16 of the DMPD, which support development with high quality design that enhances the townscape and protects rear domestic gardens. The proposal would conflict with the Framework, which supports development that is sympathetic to local character.

Other Matters

16. I appreciate that the proposal seeks to put an underutilised parcel of land into effective use. Further, it is unlikely that the proposal would result in a significant loss of biodiversity. Nevertheless, these matters would not alter my conclusion in respect of the proposal's impact on the character of the area as set out above.

Planning Balance and Conclusion

17. The Council cannot demonstrate a 5 year housing land supply of deliverable housing sites and it acknowledges that it is falling significantly short of its housing delivery requirement. Consequently, due to the provisions of footnote 8, paragraph 11d) ii. of the Framework should be applied.
18. The proposal would be acceptable in relation to other matters, including trees, provision of adequate accommodation and it would respect the living conditions of the nearest neighbours. However, these are neutral factors that neither weight for or against the development.
19. The proposal would be located close to local facilities and public transport. It would increase the natural surveillance on the road, be constructed taking a fabric first approach and would likely employ renewable energy sources. Further, it would contribute towards the smaller housing stock within the Borough and would support the Government's objective of significantly boosting the supply of homes. However, the social, environmental, and economic benefits associated with a single dwelling would be small and the benefits that would be accrued from the construction process would be temporary and limited.
20. Taken together, these benefits attract limited weight in favour of the appeal proposal. As such, the adverse impact on the character of the area would significantly and demonstrably outweigh the benefits associated with the proposal.
21. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations of sufficient weight to indicate that a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Terceiro

INSPECTOR