
Appeal Decision

Site visit made on 22 August 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2024

Appeal Ref: APP/M3645/W/24/3340019

6 Macaulay Road, Caterham CR3 5HQ

- 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 Canbury Homes Ltd against the decision of Tandridge District Council.
 - The application reference is TA/2023/1103.
 - The proposed development is for the demolition of existing residential dwelling and construction of two (Use Class C3) buildings comprising four residential dwellings, with associated landscaping, parking and access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development having regard to the character and appearance of the site and the surrounding area.

Reasons

3. The appeal site relates to a two-storey, detached house with off-street parking on the driveway to the front. The local neighbourhood is predominantly residential in nature.
4. At my site visit I walked around the neighbourhood, taking into account the street scenes along Macaulay Road, Buxton Lane, Foxon Lane, Foxon Close, Ryelands Close, Longmead Close and Eaton Place. It is evident that the local area contains pockets of higher-density housing interspersed with individual units set in larger plots. There are properties of varying scale and design, with bungalows and chalets, larger houses and modern development incorporating attic accommodation and dormer windows at second storey roof level.
5. Glimpses of the backland development at Eaton Place establish that such form is not unacceptable in principle in the vicinity. These units appear to have been designed to minimise their impact; dwellings lie either side of the communal drive allowing for longer distance views towards houses in Garland Way, thus retaining a feeling of spaciousness. Ryelands Close comprises terraces around small greens, which is beneficial to their setting.
6. The appeal before me includes two pairs of semi-detached properties, one fronting Macaulay Road and the other in a backland situation via an access

road. The Council does not appear to object to the proposed residences to the front, and I have no reason to disagree.

7. The properties at the rear would be visible from the public domain through gaps between existing built form. They would span much of the width of the site, with only limited spacing to the side boundaries and the parking area to allow for planting to establish and mature. The elevation plans show a scheme of considerable mass and bulk. I have not been provided with section plans or similar to show the heights of other buildings in the vicinity of the appeal site. Nevertheless, it seems to me that the ridge lines of the houses would exceed many other residences in the immediate setting. Overall, to my mind the cumulative scale of the proposals in this sensitive backland setting would appear discordant and incongruous within the context of the locale.
8. The rear gardens would have limited separation between the dwellings and the boundaries of the site; they are the hallmarks of being an afterthought rather than carefully designed and appropriately-sized amenity areas. The need to provide boundary treatments for privacy would mean the internal and external spaces would experience a cramped environment. This would have a significantly limiting effect on the usability and function of each of the gardens for family occupation, adding to my concerns outlined above.
9. I conclude that the proposed development would have a harmful impact on the character and appearance of the site and surrounding area, and would therefore be contrary to Policy CSP18 of the Tandridge District Core Strategy (2008), Policies DP7 and DP8 of the Tandridge Local Plan Detailed Policies 2014 and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021. Together these seek to ensure that new development assimilates effectively with its surroundings, respecting the character, setting and the local context. It would also be inconsistent with the advice in the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Other considerations

10. I appreciate that the site is in an accessible location in close proximity to Caterham town centre, and no objections have been raised by the Council with respect to highways, trees, biodiversity, surface water flood risk and loss of light, privacy or overbearing effects. However, these matters do not outweigh the harm I have identified previously.
11. I acknowledge that there are modest rear gardens to other properties in the locality, nonetheless these serve relatively smaller dwellings and consequently are not comparable to the appeal scheme before me. Also in this respect, although there are parks nearby, I do not consider this to be an exceptional circumstance that would justify inadequate provision of appropriate outdoor amenity space; moreover, the parks are still a short walk away and thus would not be used in the same way as incidental garden areas on site.

Planning Balance

12. The Framework does not change the statutory status of the development plan as the starting point for decision making. Based upon my previous findings, the appeals is not in accordance with the policies of the development plan due to the harm I have identified in terms of the character and appearance of the

area. The absence of harm relating to other matters, for example in terms of highways and biodiversity and so on, are a neutral factor.

13. It is not a matter of dispute that there is a shortfall relative to the Council's ability to demonstrate a deliverable five year supply of housing. Consequently, the housing policies which are most important for determining the application are out of date and paragraph 11(d) of the Framework should be applied.
14. The development would make a positive contribution to housing supply in an accessible location with associated social and economic benefits, including to the local economy during construction and to local services and facilities upon occupation. However, to my mind, when assessed against the policies of the Framework as a whole, the adverse impacts of granting planning permission in this case in terms of the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits of the proposal. Therefore, the presumption in favour of sustainable development does not apply in the particular circumstances of this case.
15. The conflict with the development plan and the Framework when taken as a whole and the associated harm to the character and appearance of the area are significant and overriding factors. Consequently, the material considerations in this case, including the contribution to housing supply and associated benefits previously identified, do not indicate that the application should be determined otherwise than in accordance with the development plan.

Conclusion

21. Having regard to all issues and the reasoning above, the appeal is dismissed.

C Hall

INSPECTOR