



Appeal Decision

Site visit made on 20 November 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2024

Appeal Ref: APP/M3645/W/24/3340545

Land to the west of High Wold, Park View Road, Woldingham CR3 7DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ben Pearce against the decision of Tandridge District Council.
 - The application Ref is TA/2023/1344.
 - The development proposed is single detached dwelling with parking and turning areas using existing access from Park View Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address above is taken from the original application form.
3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. I invited the parties to comment on whether the proposed reforms had relevance to this appeal and have considered their responses. The proposed revisions to the Framework are draft and therefore may be subject to change before the final Framework is published. The sections of the Written Ministerial Statement 'Building the Homes We Need' brought to my attention primarily address plan-making and Green Belt land, so are not directly relevant to this appeal. Consequently, I give the proposed reforms and changes to the planning system limited weight in this decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

5. The appeal site comprises part of the garden of the house known as High Wold, which has its main access from Station Road. The garden falls away gradually towards Park View Road, where there is a secondary access. Owing to the topography of the area, houses on the opposite side of Park View Road are at a lower level. High Wold is set well back within its plot behind a sweeping driveway that links the points of access. The house has an understated design comprising one-storey and two-storey elements, which is subservient to the mature trees, hedges and landscape that surround it.
6. The appeal site is in Character Area (CA) C Western Hillside (WH) within the Woldingham Special Residential CA. Policies L1 and L2 of the Woldingham

Neighbourhood Plan (WNP) seek to protect and enhance the distinctive character of the area while accommodating appropriate development, by reference to the Woldingham Character Assessment (WCA) and associated development principles set out in the Woldingham Design Guidance Supplementary Planning Document (WDG SPD).

7. Having regard to these documents, the WH has a loose and spacious character derived from factors including its strong topography, subservience of buildings to landscape, mature trees and hedges, and informally arranged buildings set far apart from one another in large plots. Houses in the WH are typically set well back within their plots, with an average plot to footprint ratio of 17/1. The WH is prominent in views from the surrounding area, and the WDG SPD states this CA the most clearly reflects the original vision for Woldingham.
8. WNP Policy L1 requires proposals for development not to appear out of scale or dominate neighbouring properties in terms of location, orientation, height or bulk; and to have a plot/footprint ratio similar to the average for the relevant character area unless there are strong reasons otherwise. Both WNP Policy L1 and Policy DP8 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (TLP2) also resist the progressive subdivision of curtilages in Woldingham.
9. The WDG SPD adds buildings must not be crowded or hemmed in by boundaries; and development disregarding the average plot ratio must comply with its other design principles. These include integrating development into the topography by locating each house at a different level, with buildings above road level generally having deep front gardens to ensure a soft level change; varying rooflines and breaking up built form; and retaining a sense of separation between buildings.
10. The proposed new house would have two full storeys, with windows in the hipped roof on three sides giving the impression of a third level of habitable space. This would contrast starkly with the understated deep gable and partly single-storey form of the host dwelling. The new house's ridge line would be only slightly below that of High Wold, despite the fall of the land, and the topography would make it more prominent than the existing house from some locations in the surrounding area. In addition, the space and boundary hedge between the proposed and host dwellings, and the space between the new house and the existing perimeter hedge, would be small relative to most other layouts in the WH. Consequently, the two houses would appear hemmed in, with an abrupt transition in levels between the new one and Park View Road.
11. These factors mean the new house would dominate High Wold within the site, pay insufficient respect to the topography of the area, and erode the layering of development and planting that characterises the WH. Although the plot ratio of the newly created site would be consistent with the WH average, that of the remaining High Wold site would fall well below it, even if the host dwelling's footprint were reduced in size as permitted¹. This, in combination with the contravention of other design principles noted above, would conflict with WNP Policy L1 and the WDG SPD. By subdividing part of an already subdivided curtilage, the proposal would also conflict with WNP Policy L1 and TLP2 Policy D8, notwithstanding that the two proposed plots would each exceed 0.2ha.

¹ Ref TA/2023/1239

12. I recognise the new hedge could be secured via condition and would mature over time; the new building would be oriented at a slight angle to High Wold; the proposed footprint would be smaller than High Wold's; the design would reflect aspects of the prevalent 'Arts and Crafts' style; the height of existing perimeter hedges means little of the new house would be visible when standing in Park View Road; the appearance of the access would not change; and the new house would be largely concealed from the Station Road side. Nevertheless, these factors are not sufficient to mitigate the detrimental effects of the proposal I have identified from the combination of its height, bulk, form, design and siting. In addition, the evidence before me is not sufficiently compelling to persuade me there would be no detrimental effect on long views of the WH as defined in the WDG SPD.
13. I have considered the appellant's analysis of plot ratios in the area. Several of the comparator sites fall in CA D, which is Woldingham Centre and has a tighter urban grain. Only a small proportion of sites in CA C are included. Moreover, as the WCA acknowledges, some of the main houses in CA C were built with entrance lodges/gatehouses close to the road, which are now generally in separate ownership. Those included in the analysis, such as Atherfield Lodge, therefore differ from the spacious layouts more typical of CA C. Consequently, the plot ratio analysis is not sufficiently comprehensive or compelling in its conclusions to alter my findings.
14. My attention has been drawn to the appeal decision for Atherfield². That site adjoins the tighter grain of CA D on two sides and has existing gateway-type properties on either side of the site entrance onto Park View Road. The site in this appeal is physically separate from CA D, and the proposal involves subdivision of a residential garden rather than reconfiguration of a plot following demolition of the host property. Moreover, the Inspector in Atherfield was satisfied with the space between the proposed dwellings, which I am not in this case. Consequently, the circumstances in that appeal are not directly comparable to those before me and I give it only limited weight.
15. I understand the estate within which High Wold was built has evolved since its conception as part of the original vision for the area and a partially implemented permission for sub-division of High Wold, from 1963, remains extant³. However, I have no substantive evidence to indicate there is a significant probability the remainder of that permission would be built out should this appeal be dismissed, or that that scheme would be similar to, or worse than, what is currently proposed. This limits the weight I can attach to it as a fallback position.
16. For the above reasons, I conclude the proposal would result in considerable harm to the character and appearance of the host dwelling and surrounding area. This is contrary to Policies CSP1 and CSP18 of the Tandridge District Core Strategy 2008 (CS) and TLP2 Policy DP7, which together require development to respect character, setting and local context, including those features that contribute to local distinctiveness; and not to result in unacceptable intensification by reason of scale, form, bulk, height, spacing or design. It is also contrary to Policies WNP L1 and L2 and TLP2 DP8 for the reasons given.

² Ref APP/M3645/W/20/3259737

³ Ref CAT/5341

17. Further, the proposal is contrary to Framework paragraph 138, which states development that is not well designed should be refused, especially where it fails to reflect local design policies, taking into account local design guidance and supplementary planning documents such as design guides and codes. The Framework also notes the important role of neighbourhood planning groups in identifying the special qualities of each area.

Other Matters

18. The proposal before me is materially different in siting and design from that dismissed in the previous appeal for the site⁴ and other refused applications⁵. I appreciate the appellant sought pre-application advice and has attempted to overcome the concerns previously raised. However, the current proposal would still result in considerable harm to the character and appearance of the host dwelling and surrounding area for the reasons I have already outlined.
19. The Council is satisfied in relation to access, parking, energy and drainage. On the evidence before me I see no reason to disagree with these conclusions. Obscured glazing could be secured by condition to help protect the privacy of neighbouring occupiers. Trees and hedges are proposed to be retained and their protection could also be secured via condition were the appeal to be allowed. However, an absence of harm in these regards is a neutral factor.
20. I note the representations in support of the proposal, but these do not in themselves render the scheme acceptable.

Planning Balance

21. The Council is unable to demonstrate a five-year housing land supply and its latest Housing Delivery Test (HDT) score is 38 per cent. In these circumstances, paragraph 11d) of the Framework is engaged.
22. The proposal would provide one new dwelling on a small site, which would make a small contribution to reducing the Council's substantial and persistent shortfall in housing delivery. The Framework recognises the contribution suitable small sites can make to meeting the housing requirement of an area. However, while promoting the efficient use of land, the Framework also requires decisions to take account of the desirability of maintaining an area's prevailing character and setting, including residential gardens. I have also noted above the Framework's support for local design policies and guidance, particularly when reflected in a neighbourhood plan. Taking all this together, I give the delivery of one dwelling on garden land only moderate weight.
23. There would be an economic benefit from construction and future occupiers' use of local services and facilities, but as only one dwelling is proposed this benefit would have limited weight. The modest proposed landscape and biodiversity enhancements would add a little weight in favour of the scheme.
24. I have found the proposal would result in considerable harm to the character and appearance of the host dwelling and surrounding area. I ascribe this harm significant weight, such that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits described above, when assessed against the policies in the Framework taken as a whole.

⁴ Ref APP/M3645/W/22/3298325

⁵ Ref TA/2022/556 and TA/2023/335

Conclusion

25. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR