



Appeal Decision

Site visit made on 22 October 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/M3645/W/24/3341011

Avante, 71 Croydon Road, Caterham, Surrey CR3 6EX

- 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 Parthiv Desai (DPS Property Limited) against the decision of Tandridge District Council.
 - The application Ref is TA/2023/422.
 - The development proposed is the addition of 2 storeys of residential accommodation to existing residential and commercial building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the host building and of the area;
 - the effect of the development on the availability of on-street parking for residents of the area; and
 - whether the proposed development would provide appropriate facilities for the storage of refuse and recycling materials.

Reasons

Character and appearance

3. The appeal site accommodates a four-storey building comprising commercial premises on the ground floor, 14 flats and basement parking. The building has a design whereby the top floors are set back from the plane of the principal elevation and an arched shaped roof over.
4. There is considerable variety in terms of design to the buildings along both sides of Croydon Road, ranging from some smaller scale buildings, such as the two-storey terrace to the north of the site, to larger developments, like the five-storey large building immediately to the south of the site. While the scale and height of buildings within the vicinity is not consistent, it changes in a phased manner and normally the height does not vary by more than two full storeys across neighbouring sites. The appeal building is reflective of this relationship, and it therefore ensures a smooth transition between the neighbouring buildings on each side. Given the topography of the area, long

range views towards the appeal site can be obtained from Stafford Road to the rear of the site, where the appeal building is experienced in an urban context.

5. Due to their overall size and siting, the proposed two floors would add considerable bulk and mass to the host building, thereby failing to appear subservient and resulting in a building with a top-heavy appearance. In addition, the stepped back design to the front elevation would not follow the existing pattern within the building, thus interrupting the balance and rhythm of the host. Consequently, while the proposal would incorporate appropriate materials, it would nonetheless appear as a dominant feature that would not be coherent, thereby failing to respect the character of the host building.
6. Due to its varied nature and lack of homogeneity in style, the streetscape of Croydon Road is tolerable to new design. However, because of the proposed extension, the enlarged building would appear markedly at odds with the terrace to the north, more modest in scale and of lower height. The stark contrast between both buildings would be visible in the streetscene due to the gap between their side elevations. Thus, the proposal would appear overwhelming in relation to this neighbouring building, thereby failing to successfully integrate with its surroundings.
7. Moreover, as the height of the proposal would be similar to that of the building to the south, the proposal would unbalance the rhythm of the transition between buildings. As such, while the extension would utilise the air-space above the existing building, it would not relate well with the form of neighbouring properties and would appear incongruous in the street scene.
8. From Stafford Road, given their scale and bulk, the additional floors would appear excessive and visually dominating. Consequently, the proposal would harm the views from Stafford Road across the valley and would not be sympathetic to the local character.
9. As such, the proposal would have a significant harmful effect on the character and appearance of the host building and of the area. It would conflict with Policy CSP18 of the Tandridge District Core Strategy 2008 (CS) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (2014) (LP). These policies support, amongst other things, development of a high-quality design that integrates effectively with its surroundings and reinforces local distinctiveness. Further, the proposal would be contrary to Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2018 to 2033 (2021) (the NP) which support development that integrates well with their surroundings.

Parking provision

10. LP Policy DP7 requires development proposals to have regard to the adopted Tandridge Parking Standards Supplementary Planning Document (2012) (the parking standards). With respect to the provision of on-site parking, the parking standards would require the additional flats to be provided with 10.5 parking spaces. The proposal would not include any parking spaces.
11. The Transport Statement (TS) provided in support of the proposal found that, due to the limited availability of parking in the area, together with the proposed cycle parking in excess of the current requirements, public transport offers in the vicinity and proximity to various local shops, services, and

amenities, future residents would likely be discouraged from owning cars and therefore the development would be car free.

12. However, there is no mechanism before me that would secure and retain the scheme as car free development. In the absence of such, and while on-street parking in the area may be unattractive, there is no guarantee that the development would be car free. On this basis, there remains a possibility that the lack of on-site car parking spaces would lead to the displacement of vehicles onto the public highway, even when considering the appellant's assertion that the units provided would generate a parking requirement of six vehicles only.
13. While the extent of any such displacement may be limited and unlikely to affect the safe operation of the highway, it would likely increase the on-street parking pressure in the area. This in turn would likely result in the displacement of parking to other streets, with the residents of such streets having to park further afield, to the detriment of their living conditions.
14. Thus, the proposal would have a significant harmful effect on the availability of on-street parking for residents of the area, in conflict with CS Policies CSP12 and CSP18, LP Policy DP7 and NP Policy CCW5. These policies support, amongst other things, development with a high standard of design that meets the need of residents by providing off-street parking in accordance with the adopted standards and does not significantly harm the amenity of neighbouring properties.
15. Conflict with LP Policy DP5 has been cited. However, I do not find that this would be the case, because there is limited evidence before me to demonstrate that any increased on-street parking associated with the development would affect the safe operation of the highway.

Refuse store

16. LP Policy DP7 requires development proposals to provide facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards.
17. Currently, there is an existing refuse store within the basement which currently contains two 1100L storage bins to serve the existing flats. The proposed plans indicate that the existing refuse store would be upgraded to provide three 1100L general waste bins, one 360L food waste bin and five 360L recycling bins. This capacity would be sufficient to meet the needs of the proposed seven flats, in accordance with the Council's Recycling and Waste Storage Guidance for New Residential Developments (2020). Further, the proposal would enhance the existing refuse storage facilities, which would benefit the existing flats.
18. Nevertheless, the Locality Team advises that the proposed bin capacity would fall below the total capacity required for the resulting development of 21 flats, so there would be an under provision in terms of bin capacity on site. However, this would be a consequence of the existing situation, which the appellant cannot reasonably be expected to resolve.
19. Therefore, the proposal would provide appropriate facilities for the storage of refuse and recycling material, in accordance with LP Policy DP7, which supports the provision of adequate refuse storage facilities.

Other Matters

20. Whilst the National Planning Policy Framework (the Framework) supports the use of under-utilised land and buildings, there is limited evidence that the site is under-utilised. Given the harmful effect of the proposal on the character and appearance of the host building and of the area, and on the availability of on-street parking for residents of the area, the development would fail to make an efficient and appropriate use of this site.
21. Set against the harm identified, the proposal would use a brownfield site in an urban area and deliver a net gain of seven new flats within an accessible location. This would support the Government's aim of significantly boosting the supply of homes and improve the current shortfall within the District Council. The site is a small one, so the redevelopment could be delivered relatively quickly. The proposal would incorporate solar panels. Given the Council's housing delivery position, moderate weight is ascribed to these benefits taken together.

Planning Balance

22. The proposal would be acceptable regarding matters such as waste facilities and living conditions of future residents and of adjoining neighbours. However, these are neutral factors in my consideration of this appeal.
23. The proposal would harm the character and appearance of the host building and of the area by virtue of its incongruous form and scale relative to the host building and surrounding area. The development would further have a harmful effect on the availability of on-street parking for residents of the area, as it would fail to meet the Council's parking standards and absence of mechanism to secure a car-free development. The magnitude of these harms would be significant.
24. The Framework requires that developments are sympathetic to the local character, are visually attractive and create places with a high standard of amenity for existing and future users. Therefore, the conflict between the proposal and CS Policies CSP12 and CSP18, LP Policy DP7 and NP Policies CCW4 and CCW5 should be given significant weight in this appeal. The proposal therefore would conflict with the development plan as a whole.
25. It is common ground that the Council cannot demonstrate a five-year housing land supply and it is failing its Housing Delivery Test, which engages paragraph 11 d) of the Framework. This paragraph requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
26. As set out above, the benefits associated with seven additional flats would be moderate, even taking account of the Council's housing delivery position. The Framework states that good design is a key aspect of sustainable development, supports the creation of better places in which to live.
27. Consequently, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

Conclusion

28. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR