



Appeal Decision

Site visit made on 6 January 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th January 2025

Appeal Ref: APP/M3645/D/24/3350627

9 Elgin Crescent, Caterham, Surrey CR3 6ND

- 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 Rosario Russo against the decision of Tandridge District Council.
 - The application Ref is TA/2024/545.
 - The development proposed is an increase in the size of a parapet wall for accommodating a green roof layer, DPC level and new glass balustrade, for compliance with protection from falling under Part K of the current Building Regulations and health and safety for maintenance of the green roof and landscape.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The proposal relates to a new flat roofed double garage in the front garden of 9 Elgin Crescent, which has replaced a previous single garage under a recent planning permission - but now with a higher parapet wall and glass balustrade. I saw at my site visit that the development is part completed. The garage is in place, with the higher wall, but the concrete blocks are not yet finished with render as proposed and the balustrade has not been installed. The green roof is not yet finished either. An objector states that the garage is larger than approved, but I have no detail of this for confirmation.
3. The appellant refers, in the grounds of appeal, to alternative schemes with less masonry and more glass. I must, however, base this decision on the scheme which was formally submitted as part of the application and refused by the Council.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, during consideration of the appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the Elgin Crescent.

Reasons

6. The garage sits in front of the house, facing directly onto the street in an elevated position at the head of a bend, so that it is a focal point in views up Elgin Crescent. As most of the nearby houses are set back from the street with frontage landscaping, the appeal building stands out as a key element of the built form. The additional masonry, and to a lesser extent the glazed screen, would give this domestic outbuilding undue prominence, scale and presence in the street scene, with a heavy, blockish character. Rendering it as proposed would be an improvement, but would not sufficiently mitigate the visual harm.
7. The appellant draws my attention to 2 other garages on Elgin Crescent, but one of these is set back much further from the street and the other is much smaller. Their visual impacts are therefore much different to that of the appeal proposal, which I have assessed on its own merits.
8. I conclude that the proposal harms the character and appearance of this section of Elgin Crescent. It conflicts with Policy CSP18 of the Tandridge District Core Strategy 2008, Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Policy CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2018-2033 and the Framework, which aim to secure high quality design that reflects and respects local context and distinctiveness, while encouraging innovative designs where appropriate.
9. The appellant argues that, although it is not intended to use the roof as a roof terrace, the increased enclosure is necessary to allow maintenance to be carried out safely. He also refers to a need to protect the safety of others, given that there is level access to the top of the garage from the sloping front garden. I have little doubt, however, that there could be less visually intrusive safety measures than are proposed here. It may be that some minor amount of extra masonry is needed to contain the green roof element, but the extra height proposed in this appeal has not been justified.
10. I appreciate the appellant's intention to improve the property. He references 2 other cases where his designs have been allowed on appeal¹. Those proposals for alterations to other houses were much different to the current appeal proposal and raised different issues, so are not applicable to this case.
11. I find that the proposal conflicts with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR

¹ APP/M3645/D/22/3299959 and APP/M3645/D/21/3275936