



Appeal Decision

Site visit made on 30 January 2025

by **R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/M3645/W/24/3350538

13 Roffes Lane, Chaldon, Surrey CR3 5PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission in principle.
 - The appeal is made by Mrs Annette Simon against the decision of Tandridge District Council.
 - The application Ref is TA/2024/652.
 - The development proposed is the construction of one additional dwelling of 4+ beds on the existing plot.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted. I have determined the appeal accordingly.
4. The description of development in the above banner heading, is taken from the planning application form. However, I have omitted superfluous text that is not in itself development.
5. After the decision made by the Council on the planning application to which this appeal relates, the National Planning Policy Framework was revised. I have therefore made my decision with regard to the National Planning Framework (December 2024) (the Framework).

Main Issue

6. The main issue is whether the site is suitable for residential development in terms of its effect on character and appearance, having regard to its location, the proposed land use, and the amount of development.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

7. The appeal site comprises a residential plot, which contains a detached chalet bungalow. The site is located on a steep slope, with the rear garden in an elevated position relative to the existing dwelling and road. The stretch of Roffes Lane on which the appeal site is located, is characterised by residential dwellings including both terraced and detached properties, which primarily follow a linear pattern of development with lengthy rear gardens. Large rear gardens are identified as a key characteristic contributing to the suburban character of the Queens Park character area².
8. There are exceptions to the linear pattern, with a small number of clusters of dwellings constructed in back land locations. The appellant has highlighted a number of these, including 19, 20, 25 and 26 Sunny Rise. This cluster of dwellings are set back from the road, behind a linear row of frontage housing, making use of space between the two roads and housing rows. These appear to be well established, and it is unclear whether current policy would have applied at the time they were constructed.
9. 10 Roffes Lane has a greater set back from the street scene, however, it retains a generous rear garden in line with the wider pattern of development. No 23 is located within a smaller plot, however, this is an exception to the wider pattern of development. The houses at Trobridge Hill are a cluster of houses which are in a back land location, nonetheless, these retain generous plots.
10. It is acknowledged that the resulting density would fall below the parameters set out in Policy CSP19 of the Tandridge District Core Strategy 2008 (CS), however, this policy also states that proposals should not conflict with local character. The appeal proposal is for a single new dwelling within the existing plot at 13 Roffes Lane, amounting to 'the piecemeal development of garden land', a form of development with Policy DP8 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (DPP2) seeks to resist. This is materially different to the above examples, which form small clusters of houses rather than individual piecemeal development.
11. The proposal would require a subdivision of the plot. Although the location of the new plot is unknown, it would clearly reduce the size of the remaining curtilage to serve the existing dwelling, and the two resultant plots would both be considerably smaller than that existing, in an area where large gardens are identified as a key characteristic. The plot sizes would also be smaller than the other examples of back land development, referenced above. The size of the resultant plots would fall below that prevailing in the area, further conflicting with Policy DP8 of DPP2.
12. Although the plans before me are indicative and could change at the TDC stage, the proposal is likely to involve a form of back land development. The construction of a house to the rear of the existing bungalow, would not front onto Roffes Lane, and in this regard would deviate from the established linear pattern of development. Although views of the proposal would be limited, aspects such as the access, parking and services would visually indicate the presence of an additional dwelling. As such, I am not persuaded that the limited views would avoid any harm.

² Neighbourhood Plan Design Guidelines

13. Given the above considerations, I find that the appeal site would not be an appropriate location for the development proposed, due to the resultant harm to the character and appearance of the area. The proposal would therefore conflict with Policy DP7 and DP8 of the DPP2, Policy CSP18 of the CS and Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021).

Other Matters

14. I note the appellant's criticisms of the Council, in terms of the lack of positive and proactive engagement. However, this does not directly affect the merits of the proposal and is a matter between the main parties. As such, this has had no bearing on my consideration of this appeal.

Planning Balance

15. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 78 of the Framework, with a significant under supply. The latest information before me is that the Council's housing land supply is just 1.92 years, and its delivery is less than 75% of its housing target³. This is a considerable shortfall.
16. The scheme would deliver a single dwelling to the local housing supply, within a built-up area that would accord with the Council's spatial strategy. The proposal would therefore make a small contribution towards the government's target to significantly boost the supply of homes. I recognise that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. There would be temporary economic benefits arising from the construction process and wider public benefits associated with an increase in housing. Nonetheless, given the scale of the development, these benefits would be very modest.
17. I note the appellant has indicated that additional planting is indicatively proposed, however, there is no mechanism to secure this at the permission in principle stage. Similarly, I note the intention to provide an additional off street parking space, however, as the parking demand would also increase, it is unclear whether there would be any net benefit in this regard. It is submitted that the appearance of the garden would be improved, however, the detailed design is not known and given I have identified harm to the character and appearance of the area, I am not persuaded that there would be a net benefit in this case.
18. The erection of an additional dwelling on the plot, having regard to its location, land use and the amount of development, would cause unacceptable harm to the character and appearance of the area. Given the emphasis within the Framework upon facilitating developments that are sympathetic to the local character, I attach substantial weight to this harm.
19. In light of the above, when assessed against the policies in the Framework taken as a whole, the adverse impacts significantly and demonstrably outweigh the benefits. The proposal would not therefore represent a sustainable form of development, in the terms set out in the Framework.

³ Annual Monitoring Report 2023-2024

Conclusion

20. For the reasons set out above, the appeal site is not suitable in principle for residential development. The proposal, as a permission in principle, conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

R. Lawrence

INSPECTOR