



Appeal Decision

Site visit made on 27 November 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2025

Appeal Ref: APP/M3645/W/24/3344252

6 Detillens Lane, Limpsfield, Surrey RH8 0DJ

- 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 R Smith of St Marks Properties (XV) Ltd against the decision of Tandridge District Council.
 - The application Ref is TA/2023/1522.
 - The development proposed is erection of 2 no. detached, 2 storey, 5-bed dwellinghouses, with associated amenity space, landscaping, bin and cycle stores, and car parking with vehicular access from Detillens Lane.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The second reason for refusal cited insufficient information to demonstrate that the proposal would not have an unacceptable effect on wildlife, habitats or protected species. The appellant has provided additional information on these points and the Council confirms that, subject to appropriate conditions, it is satisfied this reason for refusal has been overcome. Based on the evidence supplied I see no reason to disagree.
3. Following the Council's decision on the proposed development before me, planning permission has been granted for the erection of one dwelling on the same site (Application Ref. 2024/351). Whilst that decision is material in the ways set out below, I have determined this appeal on its own merits.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site (the site) comprises a detached dwelling on a generous plot, facing onto Detillens Lane to the north and backing onto the A25, Westerham Road, to the south.
6. Houses on the southern side of Detillens Lane generally share an arts and crafts-based style. They are detached, present wide frontages to the road, and adhere to a clear building line. Plot widths are evident from the public highway and broadly similar. These features give a strong degree of uniformity and completeness to the street.

7. The northern side of Westerham Road, near the site, is marked by long runs of close-boarded fencing and mature trees and shrubs, forming a continuous boundary. Above and through this can be seen a short row of detached dwellings which face onto Westerham Road. Open spaces are visible between and behind these houses, demonstrating a reasonably uniform, and fairly low, level of density. This combines with the openness of the land opposite, on the south side of Westerham Road, to create a spacious feel. This pattern of development has been reinforced by recent schemes; A single, detached dwelling has been added to the rear of 8 Detillens Lane and, whilst the easternmost plot in the row at Green Hedges has been redeveloped into flats, it is a single building and broadly maintains the characteristics described above.
8. The proposed development includes the erection of two detached dwellings (the dwellings) accessed from Detillens Lane. They would be two-storey but include accommodation in the roof. The dwellings would be on land significantly lower than Westerham Road, and be set back from Detillens Lane, behind the retained host dwelling. Additional planting is proposed to the edges of the site which, alongside retained greenery, would partially screen views into the site. Even so, the height of the dwellings would make them prominent from neighbouring homes, from Detillens Lane, where they would be visible from the site entrance, and from Westerham Road, where the closeness of the southernmost dwelling to the boundary would further increase their prominence.
9. The two dwellings would be so close to each other that from many surrounding vantage points it would not be possible to see daylight between them. The higher degree of density at the site relative to neighbouring plots would be clear and striking, and result in a congested feel, harmfully at odds with the spacious character of the immediate surroundings. The formation of the local built environment through a combination of distinct, consistent elements is a key part of its overall cohesion. The density of the proposed development would be jarringly at odds with its immediate setting and, as a result, undermine the existing cohesion of the wider area. This would amount to a significant harm.
10. The detailing, design, and external materials of the dwellings would accord with the varied suburban styles on Westerham Road and, as a result, not appear locally inappropriate. The proposed access road would be an uncommon feature in Detillens Lane, but not so different in character to existing driveways and forecourt parking areas as to be harmful.
11. The proposed parking and turning area would be at the southernmost end of the site where it would not be visible from Westerham Road, and only partially visible over a significant distance from Detillens Lane. Whilst these aspects of the scheme would be acceptable, given my findings above, its overall effect would remain harmful.
12. For the reasons set out above I conclude that the proposed development would harm the character and appearance of the area, contrary to Policy CSP18 of the Tandridge Core Strategy 2008, Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014, and Policies LNP2 and LNP3 of the Limpsfield Neighbourhood Plan, where they require development to reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness.

Other Matters

13. Whilst I recognise the appellants' contention that the proposed development may be preferable to building on undeveloped Green Belt land, I have no evidence that dismissing this appeal would have that effect.

Planning Balance

14. I have found that the proposed development would harm the character and appearance of the area, resulting in conflict with the development plan as a whole. Policies CSP18, DP7, DP8, LNP2 and LNP3 are consistent with Chapter 12 of the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities. It also requires development to establish or maintain a strong sense of place, and states that development which is not well designed should be refused. As such, I have attached significant weight to the conflict with policies.
15. The Council accepts that it cannot demonstrate a five-year supply of deliverable housing sites. Though the precise extent of the shortfall is not provided in the evidence, I note the appellant's observation that an emerging Local Plan was determined unsound.
16. The scheme would deliver two new homes on a small to medium site, which could be built quickly and contribute towards addressing the shortfall in housing. The site is within walking distance of services, facilities, and a range of public transport options. It would make a more effective use of land by increasing the density of development. The Framework is supportive of these features.
17. The benefits of new housing on such sites carry great weight, but they are tempered in this instance by the modest scale of the scheme, and by the grant of planning permission for one new dwelling at the site ensuring that residential development may occur if this appeal is dismissed, albeit to a lesser extent.
18. There would also be economic benefits associated with the undertaking of development and the subsequent occupation of the site. Given the scale of the proposal, these are modest benefits.
19. The harm to the character and appearance of the area would be significant, and the increase in density would not be appropriate innovation or change. I therefore find that whatever the shortfall in the Council's supply of deliverable housing sites might be, the adverse impacts of the development would significantly and demonstrably outweigh the modest benefits. As such, the proposal would not constitute a sustainable form of development in terms of the Framework.

Conclusion

20. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

A Knight

INSPECTOR