



Appeal Decision

Site visit made on 29 January 2025

by **H Miles BA (hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 FEBRUARY 2025

Appeal Ref: APP/M3645/W/24/3349138

24-26 High Street, Caterham CR3 5UA

- 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 Wellington Properties against the decision of Tandridge District Council.
 - The application Ref is TA/2023/1001.
 - The development proposed is demolition works and associated alterations to allow the redevelopment of the site to provide five residential units with associated vehicle and cycle parking, refuse and amenity space.
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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 area and the quality of living conditions for future occupiers with particular regard to room sizes, outlook, light, parking and outdoor space.

Reasons

Character and Appearance

3. The appeal site includes a two storey frontage building with a central archway at ground floor leading to a courtyard and outbuilding to the rear. The modest outbuilding is single storey with a dormer at roof level. Along the High Street, buildings front the main road in a mix of styles, including a number of traditional Victorian buildings. There are outbuildings and additions to the rear of some properties, including the appeal site, some with access connecting to Park Road. These outbuildings are generally small and clearly subservient to the main frontage properties. As such, the regular pattern of development with main buildings fronting the road makes a positive contribution to the character of this area.
4. Local planning authorities may identify non-designated heritage assets as part of the decision-making process on planning applications. As such, even though the local list has not been adopted, it is relevant to consider this matter. The host property is Victorian and it is significant due to its traditional appearance and function including the distinctive archway leading to an historic stable mews. It is not statutorily listed, however these historic features result in the appeal site having a limited degree of heritage significance meriting consideration in planning decisions. Therefore, this property is considered as a non designated heritage asset.

5. The nearby King and Queen Pub, 34 High Street is a Grade II listed building. Its significance appears to derive from its historic form, appearance and features dating from the 17th century, with 19th and 20th century additions evident from the High Street. Its significance is experienced in surroundings which include the other nearby historic buildings along the High Street, including no. 24-26. The traditional appearance and features of the appeal site in this streetscene therefore make a positive contribution to the appreciation of the heritage significance of 34 High Street and the setting of this listed building. I have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
6. The proposed development would demolish the existing outbuilding and introduce two, three storey dwellings to the rear of the site. They would be in a modern design. To the frontage building the appeal scheme proposes an increased height mansard roof form, as well as the replacement of the windows with timber traditional sash units.
7. The proposed development would significantly increase the bulk and massing of built form to the rear of this plot. Although it would be lower in height than the frontage buildings, nevertheless it would be an uncharacteristically tall and large building in this position. Furthermore, the appeal scheme would introduce main front elevations to the proposed houses in this position behind the row of the main frontage properties. It would therefore be overly dominant relative to the main frontage building as well as the other secondary outbuildings nearby. Whilst the use of brickwork would be suitable, nevertheless, the proposed development would clearly and unacceptably erode the pattern of development.
8. The significance of the non designated heritage asset is limited. However, there would be a total loss of the traditional functional relationship between the host property and the associated rear outbuilding which would undermine its significance. Therefore, balancing the scale of the harm against the significance of the non designated heritage asset, there would also be harm in this regard.
9. The rear of the site adjoins open playing fields and the proposed houses would be evident from Park Road and across this open space. As such, this harm would be clearly visible. Taking all the above into account, the proposed development would result in substantial harm to the character of this area.
10. The introduction of the mansard roof to the frontage building would undermine its traditional roof form. However, the proposed windows would enhance this part of the historic appearance of the front elevation of the building. For these reasons, overall, the proposed development would maintain the building's historic character to the High Street frontage. As such, the proposed development would have a neutral effect on the traditional appearance of this building in the High Street streetscene. Therefore, the appeal scheme would preserve the setting of the Listed Building which would be a neutral effect.
11. 33 High Street is also a Grade II listed building. Its significance derives from its traditional appearance as an 18th century cottage. The Council consider that the appeal site does not contribute to the appreciation of the heritage significance of this listed building and has not refused the scheme on the basis of the effect on its setting. I have visited the appeal site and I agree that there would be no harm to the setting of this listed building.

12. Nevertheless, for the reasons set out above, the proposed development would be harmful to the character and appearance of the area. Consequently, it would be contrary to policies CSP18 of the Tandridge District Core Strategy (2008) (CS), Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (2014) (LP) and Policy CCW4 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021) (NP). Together these seek a high standard of design that respects character and setting including with regard to conservation and enhancement of designated and non designated heritage assets.

Living Conditions

13. The houses would each have a small, narrow terrace as private outdoor space. Policy DP7 of the LP does not specify sizes for external spaces. However, it does require that garden areas are proportionate to the size of the residential units and appropriate for the intended occupiers. In this case, the layout and size of the terraces would be very limited and would not provide a suitably functional outdoor space for these units. Internally the houses have floorspace that exceeds the Nationally Described Space Standards (NDSS) and there are public parks nearby. However, this would not provide comparable alternative private outdoor space for these occupiers. Additionally, the main window to bedroom two in house 1 would be set back from the site boundary and would face across the courtyard and neighbouring gardens. However, due to the layout, it would only provide outlook to a small portion of the room. A very small secondary window would also be provided. Albeit due to its size, the outlook from this window would also be limited.
14. Turning to the flats, none of these would be provided with any external amenity space. Two of the flats would exceed the NDSS for internal floorspace. However, as set out above internal space or access to public parks would not provide a suitable alternative to usable private open space for these properties. Whilst the exclusion of rear balconies avoids overlooking concerns, the lack of harm to privacy does not compensate for inadequate living conditions for future occupiers in this regard. Furthermore, Flat B is a one bedroomed unit. Although it would achieve the overall floorspace in the NDSS, the bedroom would be undersized by a minimum of around 1sqm. I am not provided with any detail as to how a larger bedroom could be delivered and consequently, I am not satisfied that alterations to achieve this would not cause harm in other respects such as light, or sizes to other rooms.
15. The plans also show a pedestrian route along the boundary with no. 28 leading to the rear houses. There is limited scope for soft landscaping to the rear courtyard, however hard landscaping could ensure the legibility of this route, and this could be secured by condition. Cycle parking is shown for both the flats and the houses as well as bin stores. Bins would be left on the pavement on collection day, which is the same arrangement as currently exists. As such, the situation would be the same as at present and therefore there would not be harm in this regard. Furthermore, the flats have a suitably open aspect to the front and rear and I am provided with a technical internal daylight assessment, the results of which are not disputed, which shows that the flats would be sufficiently well lit.
16. A total of 5 car parking spaces are proposed, which is lower than the Tandridge Parking Standards which would require the provision of around 9 car parking spaces for the proposed development. However, the properties are located very close to shops and facilities and would also be provided with cycle parking. As

such, in this accessible location the proposed car parking provision would secure appropriate living conditions for future occupiers in this case.

17. Taken together, the inadequate proposed outdoor space, room sizes and outlook would not achieve a high standard of amenity for future occupiers. Harm has not been identified with regard to the legibility of the parking area, the cycle, bin and parking provision or light to the proposed units. However, the lack of harm in these regards are neutral factors that does not weigh in favour of the development.
18. Therefore, the proposed development would provide inadequate living conditions for future occupiers. As such, in this respect, it would be contrary to Policy DP7 of the LP and Policy CCW5 of the NP. Together these require a satisfactory environment for occupiers of the new development and to meet the needs of residents.
19. Policy CSP18 of the CS and CCW4 of the NP mainly relate to character and design. Therefore, the policies set out above are more relevant to this main issue.

Planning Balance

20. The Council cannot demonstrate a five year supply of deliverable housing sites. Therefore, the presumption in favour of sustainable development contained within paragraph 11 d) would be engaged. This requires that planning permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies within the Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
21. The appeal scheme would provide five residential units in an area where there is a shortfall in the delivery of housing. The development would be an accessible location in a built up area, the number of dwellings on site would increase and there would be associated social and economic benefits. The proposal would use brownfield land within a settlement for homes and I give substantial weight to the value of using such land. The proposed development would therefore direct development to a sustainable location and support the Government's aims to boost the supply of homes. Nevertheless, taking into account the scale of the development, this results in important but no more than moderate benefits.
22. On the other hand, for the reasons set out above the proposed development would result in harm to the character and appearance of the area and would not secure a well designed place. Furthermore, taking into account the desirability of maintaining this area's prevailing character and setting and the importance of securing well designed, attractive places, overall, the development would not be an efficient use of land. Additionally, it would provide inadequate quality living conditions for future occupiers which would not result in a high standard of amenity for future users. Consequently, the proposal would not safeguard and improve the environment and ensure safe and healthy living conditions and would not be an effective use of land nor would it secure well-designed places. Together, this harm would be substantial, including in the context of paragraph 125c of the Framework.
23. I am not provided with evidence as to the extent of the housing land supply, however even if there were a significant undersupply, these substantial adverse

effects would significantly and demonstrably outweigh the moderate benefits set out above when assessed against the Framework taken as a whole and having particular regard to key policies. Therefore, the presumption in favour of sustainable development would not apply in this case.

Conclusion

24. 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. Therefore, for the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR