



Appeal Decision

Site visit made on 14 April 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/M3645/W/24/3352914

Cherryfield, 13 Westhall Park, Warlingham, Surrey CR6 9HS

- 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 Daniel Brown (Vita Group London Ltd) against the decision of Tandridge District Council.
 - The application Ref is TA/2024/520.
 - The development proposed is the demolition of existing dwelling and erection of two two bedroom and two three bedroom one and half storey dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has provided a Bat Emergence Survey Report (September 2024), BNG Statement and Habitat Condition Assessment – Rev1 (November 2024), and an Existing Habitat Plan and Statutory Biodiversity Metric Calculation Tool – Cherryfield (2, 3 and 3A). The additional information was submitted in response to the Council's second reason for refusal, and I am satisfied that it would not result in a fundamental change to the application. The details provided appear to resolve this reason for refusal, since the Surrey Wildlife Trust raised no objection to the proposal, subject to conditions. I see no reason to disagree and, accordingly, I have not considered this matter any further.

Main Issue

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

Reasons

4. Cherryfield is a detached bungalow accommodated within a wide plot with a limited depth. The bungalow is set back from the road and the site's front boundary treatment consists of trees and mature vegetation.
5. Westhall Park is a predominantly residential road comprising mainly detached buildings of varying styles and scales that lie within plots of different shapes and sizes. The road accommodates two storey dwellings, chalet bungalows, as well as a block of flats adjacent to the site. The properties typically have generous amounts of soft landscaping within their frontages, which provides the road with a verdant character. The existing bungalow and its neighbours to the south sit roughly at the same distance from Westhall Park, while the block of flats has its side elevation closer to this road.

6. The proposal seeks to construct two pairs of semi-detached properties within the site. The dwellings would be set in from their boundaries and have side entrances as main doors. However, the multiple driveways and associated access points onto the road would strongly indicate the semi-detached nature of the dwellings. Therefore, the proposal would appear markedly at odds with its surrounding context.
7. Despite the variation in terms of plot size within the locality and the developments at 21 Westhall Park and at Westhall Close, which appear more intensive in character, the proposed plots would nevertheless be smaller than the prevailing plot size in the vicinity. The modest size of the plots, together with the semi-detached nature of the proposed dwellings, would result in an unduly intense form of development that would appear cramped and harm the prevailing character of the area.
8. The hardstanding areas would be kept to a minimum and the Landscape Masterplan indicates that whilst some trees and hedges would be removed to accommodate the proposal, new planting comprising native species would be provided. However, incorporating soft landscaping would not be sufficient to fully mitigate the proposal's harm to the character of the area as identified above.
9. While taller than the existing bungalow, the proposed dwellings would have a chalet bungalow appearance with roof accommodation and would be modest in height. The proposed street scene shows that the dwellings would be lower to the ridge than the block of flats, which acts as a focal point, and would have a similar height to 15 Westhall Park (No 15). The pairs of semis would be sited further forward than the front elevation of No 15 but would not project beyond the side elevation of the block of flats. As such, the proposal would be positioned so to respect the building line. However, these acceptable aspects of the scheme would not address nor override the unsympathetic elements as identified above.
10. As such, the proposal would have a harmful effect on the character and appearance of the area. It would be contrary to Policies CSP18 and CSP19 of the Tandridge District Core Strategy 2008 (CS), and to Policies DP7 and DP8 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (LP), which among other things, support development of a standard of design that integrates effectively with its surroundings, is in keeping with the prevailing streetscape, and does not involve the inappropriate sub-division of existing curtilages.

Other Matter

11. I understand that the proposal follows a previous planning application which was refused by the Council. Whereas it may be that the size, scale and footprint of the dwellings has been reduced, as set out above, I find that the proposal would be harmful to the character of the area in its own right.

Planning Balance

12. It is common ground that the Council cannot demonstrate a five year housing land supply. The appellant considers the figure to be 1.57 years and directs me to an appeal decision from March 2023¹. The Council does not dispute this figure and so, for the purposes of this appeal, I have considered the figure provided by the

¹Appeal Ref APP/M3645/W/22/3309334

appellant. In such circumstances paragraph 11 d) ii of the Framework states that 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.

13. The proposal would meet the Framework's objectives of boosting the supply of housing and would deliver a net increase in three family dwellings within a settlement area with access to services and public transport. Additionally, the proposal would logically reduce the pressure for development in the Green Belt. The proposal would deliver off-site ecological enhancements, would contribute to the local economy and there would be some economic benefits accrued from the construction process. The site is a small one so the redevelopment could be delivered quickly. In light of the Council's five year housing land supply position, taken together, these benefits would attract moderate weight in favour of the proposal.
14. The proposal would result in harm to the character and appearance of the area for the reasons set out above. I ascribe substantial weight to this harm. The Framework supports development that is sympathetic to local character, including the building environment, and maintains a strong sense of place.
15. Consequently, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
16. Also, CS Policies CSP18 and CSP19, and LP Policies DP7 and DP8 are consistent with the Framework, so the conflict with them should be given significant weight in this appeal.

Conclusion

17. 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