Application No: TA/2015/2042

RECOMMENDATION: REFUSE

Summary

There is no objection in principle to a new dwelling in the urban area of Caterham, however in its current form the proposal would result in a ‘tandem’ development on this plot contrary to Policy DP8. In addition, the footprint of the proposed dwelling is considered to be disproportionate in relation to its plot resulting in the cramped appearance and overdevelopment of the site, which would harm the sense of openness which is characteristic of this part of the Harestone Valley Character Area. The scale and appearance of the proposed solar photovoltaic panels are also considered to have an adverse impact on the visual amenity of the area.

Furthermore, insufficient information has been provided to satisfy the requirements of Policies CSP18 and DP7 that the proposals would not result in a loss of privacy as a result of overlooking of the garden at ‘Beech Hanger Lodge’ to the east. The proposal is also considered to result in unneighbourly development that would adversely impact on the occupiers of the host dwelling at ‘8 Harestone Lane’, as well as providing insufficient private amenity space for the future occupiers of the new development. Insufficient information has also been submitted to show that proposed development would not adversely impact on protected species.

Site Description

The site is located to the rear of a detached chalet style bungalow sited to the north of Harestone Lane in Caterham. The area to be developed has been fenced off from the host dwelling at 8 Harestone Lane. There are a number of trees along the boundaries or the site, most notably along the northern boundary, but these are relatively modest. There is a private access to the site from Harestone Lane, but this track appears to be blocked to the north-east by an existing garage serving ‘54 Underwood Road’.

Relevant History and Key Issues

None relevant

The property lies within an urban area where new development is acceptable in principle. The key issues are whether the proposal would be appropriate with regard to the impact on the character of the area and street scene, highways and parking, and the impact on adjoining residential properties.

Proposal

The proposal to erect a new dwelling in the rear garden of 8 Harestone Lane, with access to the site via a private track running between no.‘s 6 and 8 Harestone Lane.

Development Plan Policy

Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19

Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP8, DP9, DP19 and DP21
Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

Tandridge Parking Standards SPD (2012)

Harestone Valley Design Guidance SPD (2011)


National Advice


Planning Practice Guidance (PPG)

Statutory Consultation Responses

County Highway Authority – The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway.

Caterham Valley Parish Council – Objects to the application on the basis that it is back land development which is not permitted, and the Parish Councillors request that this application goes to Committee.

Non-statutory Advice Received

None

TDC advice

Chief Community Services Officer (Refuse and recycling) – No objections.

Other Representations

Third Party Comments - Object to the application on the following grounds:

- Principle of infilling;
- Increase in density;
- Size and scale of the development, which would result in overdevelopment of the plot;
- Height and size of solar panels;
- Not in keeping with Harestone Valley Character Assessment;
- Loss of privacy to neighbouring properties;
- Loss of light to neighbour to the north;
- Loss of screening along north boundary, and concern regarding space available for replacement landscaping;
- Concern regarding land excavation and levels, including retaining walls;
- Waste storage concerns;
- Concerns regarding sewage arrangements;
- Obstruction of private right of way;
- Concerns regarding construction process due to levels on site.

One letter received in support of the application.
Assessment

Impact on visual amenity and character of the area

The proposal is located within the urban area where in principle the erection of a new dwelling would be acceptable in accordance with Policies CSP1 and DP1. Policy DP8 also permits infilling, back land or the complete or partial redevelopment of residential garden land in Caterham provided that it would meet the relevant criteria regarding its design and appearance as assessed below.

Criterion B of Policy DP8 also states however that 'proposals that would result in the piecemeal or 'tandem' development of residential garden land, or the formation of cul-de-sacs through the 'in-depth' development of residential garden land will normally be resisted'. It is acknowledged that the proposal would be set in line with neighbouring properties at 52 and 54 Underwood Road, but that the access to the site would be between no.'s 6 and 8 Harestone Lane. Therefore, it is recognised that whilst visually the property could be considered to continue the built form along Underwood Road but that due to the current access arrangements the proposed development would be considered to result in tandem development on this site, which would be uncharacteristic of the surrounding area. It is noted that there is potential for the development to be accessed via the private road serving properties at 52 and 54 Underwood Road, however this access is currently blocked to vehicles by a garage serving 54 Underwood Road, which was approved under application ref. TA/95/141.

Notwithstanding the above, Policy DP8 states that development should be appropriate to its surroundings in terms of size and scale and should not involve the inappropriate subdivision of the plot. It is considered that the plot sizes would not be inappropriate when taking into account those within the locality and would not result in an unacceptable level of density in this area. The dwelling would be relatively low level in terms of its height and set back a reasonable distance from Harestone Lane so that it would not result in a prominent feature within the streetscene. There is also no objection in principle to the modern flat roofed design with a basement level that would be set within the hillside. However, the footprint of the proposal would be disproportionate to the size of the plot, resulting in the overdevelopment of this site. In addition, as a result of its relationship with the boundaries of the site it is considered that the development would appear cramped within the plot and would not be in keeping with the sense of openness which is characteristic of this part of the Harestone Valley Character Area. The proposals would therefore not comply with Policy CSP18 of the Core Strategy and Policies DP7 and DP8 of the Local Plan with regard to the visual amenity and character of the area.

Trees

There are a number of trees situated on site many of which are located along the northern boundary, but none of which are protected or are considered to have significant public amenity value. An Arboricultural Implications and Method Statement has been submitted which states that a number of trees along the northern boundary are to be removed. Additional landscaping is proposed to replace the trees removed along the northern boundary, and further details would be required via condition if the application were to be recommended for approval. There is however concern that due to the positioning of the dwelling in relation to the boundaries that there would be insufficient space for effective replacement landscaping.

Impact on residential amenity
In terms of the impact of the proposal on neighbouring properties, it is noted that the overall height of the new dwelling would be at a similar level to the eaves height of dwellings directly to the north (54 Underwood Road) and south (8 Harestone Lane). The building would result in a wall with a depth of 10m along the boundary with the neighbour to the north, but would not extend beyond the rear elevation. The new dwelling would protrude forward of the front elevation of no. 54 but it is noted that the distance of separation increases to the front. As a result of its height and positioning the proposed dwelling is not considered to have an overbearing impact or result in a significant loss of light or overshadowing to the occupiers of neighbouring properties.

The main outlook from the new dwelling would be to the front (east) and rear (west). Due to the level of the land the proposal is not considered to result is any overlooking to the west, but it is noted that there is a significant slope down to 'Beech Hanger Lodge, 50 Underwood Road' whose rear garden is sited directly below to the east. Whilst it is noted that there is an outbuilding to the south-west corner of 'Beech Hanger Lodge' concern has been raised regarding a loss of privacy as a result of the lounge window in the east elevation of the new dwelling. It may be that due to the positioning of the window 8m from the eastern boundary and topography of the site that the proposal would not afford direct views into the rear garden of this neighbour. However, additional plans and information clearly showing the change in levels and relationship between the proposed dwelling and the garden at 'Beech Hanger Lodge', including sight lines from this window, would be required to show clearly show this relationship.

A window is proposed in the south elevation of the new dwelling to provide additional light to the lounge area, and it is considered due to its positioning and distance from the properties along Harestone Lane to the south that it would not result in an adverse impact on the privacy of these neighbouring properties.

In terms of the amenities of future occupiers it is considered that at less than 8m in depth the private amenity space provided to the rear would be insufficient and disproportionate to the footprint of the dwelling. In addition, it is noted that the garden at the host dwelling at 8 Harestone Lane will be significantly reduced and the access road and car parking to the site would be unneighbourly being within close proximity to the side and rear boundaries of the garden and the single storey rear extension at the host dwelling.

In terms of residential amenity, it is therefore considered that insufficient information has been submitted to satisfy the requirements of Policies CSP18 and DP7 with regards to overlooking. In addition, the proposal is considered to result in unneighbourly development that would adversely impact on the occupiers of the host dwelling, as well as providing insufficient private amenity space for the future occupiers of the development contrary to Policy DP7.

Highways and parking

The County Highway Authority has not offered detailed comments on the application as the access is via a private road. In terms of parking, Tandridge District Parking Standards require 2 allocated spaces, plus 1 space unallocated per 4 dwellings, for a three bedroom dwelling. The plans show provision for two parking spaces on site, which for this one-off single dwelling is considered to be acceptable. However, whilst no objections are raised with regard to Polices CSP12 and DP5 there is some concern that the parking and turning areas on site appear cramped.

Biodiversity and nature conservation
The site is not identified as one of particular nature conversation or biodiversity importance however this is not to say that the site does not provide such habitat. A biodiversity checklist has been submitted which identifies that the site, which has been fenced off from the garden at 8 Harestone Lane, may provide a suitable habitat for reptiles and dormice. However, no ecology reports or surveys have been submitted and it is therefore considered that insufficient information has been submitted to conclude that the proposed development would not adversely impact on protected species contrary to Policies CSP17 and DP19.

Renewables

Policy CSP14 requires that all new residential development be required to reach a minimum percentage saving in carbon dioxide emissions of 10% (for 1-9 units) through the incorporation of on-site renewable energy. An energy statement has been submitted which advises that solar photovoltaic panels would be submitted to meet the requirements of this policy. The solar panels are shown on A-frames to the roof of the building, rather than being laid flat, and whilst there is no objection in principle to solar panels the visual impact of the panels as proposed would be unacceptable and would be contrary to Policies CSP18 and DP7.

Other matters

The access to the site appears to be via a private right of way which has already been blocked to the north-east of the site by the garage at 54 Underwood Road, resulting in access to the site from Harestone Lane to the south only. It is understood that the occupiers of 6 Harestone Lane access a side gate to their garden via this private right of way, but the practicalities of this arrangement following development would not be a matter for planning consideration. The presentation point for waste is shown as being along this private right of way and at the entrance with Harestone Lane. The Refuse and Recycling Officer has confirmed that this is acceptable in terms of the Council’s requirements, and any matters relating to its location on the private right of way are not for planning consideration.

Concern has also been raised with regard the construction process, land excavation and the need for retaining walls due to the topography of the site. If the application were to be recommended for approval details of these matters would be sought via condition. Concerns have also been raised regarding sewage arrangements, but the site is not within a flood risk area and there is reason to raise objections to disposal via the main sewer as outlined with the application form.

Conclusion

In conclusion, in its current form the proposal would result in a ‘tandem’ development on this plot contrary to Policy DP8. In addition, the footprint of the proposed dwelling is considered to be disproportionate in relation to its plot resulting in the cramped appearance and overdevelopment of the site, which would harm the sense of openness which is characteristic of this part of the Harestone Valley Character Area. The scale and appearance of the proposed solar photovoltaic panels are also considered to have an adverse impact on the visual amenity of the area. Furthermore, insufficient information has been provided to satisfy the requirements of Policies CSP18 and DP7 with regards to overlooking. The proposal is also considered to result in unneighbourly development that would adversely impact on the occupiers of the host dwelling, as well as providing insufficient private amenity space for the future occupiers of the development contrary to Policy DP7. Insufficient information has also been submitted to show that proposed development would not adversely impact on protected species.
This development is CIL liable.

In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal fails to accords with the Development Plan and the provisions of the Development Plan are not overridden by other material considerations. The implementation and completion of the development will result in a local financial benefit but it is considered that this benefit is insufficient to outweigh other conclusions reached.

The Council has demonstrated that it has a five year housing land supply and it considers that material weight should be accorded to the Core Strategy in this case as the basis for assessing housing requirements. Furthermore, the Planning Practice Guidance clearly states that design is a key aspect of sustainable development under the NPPF and for the reasons stated the character and appearance of the area would be harmed by the development. The significant and demonstrable harm identified above are considered to outweigh any benefit to the proposal.

The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government’s Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council’s Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraphs 214 and 215 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

All other material considerations, including third party comments, raised by third parties have been considered but none are considered sufficient to change the recommendation.

**RECOMMENDATION:** PERMIT

**REFUSE**

**Reasons:**

1. The proposal with its access via Harestone Lane would be considered to result in tandem development on this site, which would be uncharacteristic of the surrounding area contrary to DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

2. The proposed dwelling, by reason of its footprint and scale and relationship with boundaries of the site, would result in the cramped appearance of the property within its plot and overdevelopment of the site, which would harm the sense of openness which is characteristic of this part of the Harestone Valley Character Area. In addition, the scale and design of the proposed solar photovoltaic panels to the roof are also considered to have an adverse impact on the visual amenity of the area. For these reasons the proposals are contrary to Policy CSP18 of the Tandridge District Core Strategy and Policies DP7 and DP8 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

3. The proposal is considered to result in an unneighbourly development that would adversely impact on the occupiers of the host dwelling at 8 Harestone Lane, as well as providing insufficient private amenity space for the future occupiers of the new dwelling. In addition, insufficient information has been
submitted to conclude that the proposals would not result in a loss of privacy as a result of overlooking to the dwelling to the east at 'Beech Hanger Lodge' contrary to Policy CSP18 of the Tandridge District Core Strategy and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. Insufficient information has been submitted to conclude that the proposed development would not adversely impact on protected species contrary to Policy CSP17 of the Tandridge District Core Strategy and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.


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