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## PLANNING APPEAL

BY

**CHARTWELL LAND AND NEW HOMES (2) LIMITED**

RELATING TO

A PROPOSED DEVELOPMENT AT

**2 WESTERHAM ROAD,  
LIMPSFIELD,  
OXTED,  
RH8 0ER**

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**GROUNDS OF APPEAL STATEMENT**

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**OUR REF: JA/CPG/18/143**

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**1. INTRODUCTION**

1.1 This appeal relates to the refusal of planning application reference TA/2017/2337 by Tandridge District Council on 20<sup>th</sup> April 2018. Outline planning permission was sought for the demolition of an existing dwelling house at 2 Westerham Road, Limpsfield and the erection of an apartment block containing 14 flats with associated access, car parking, communal gardens and cycle and bin stores.

1.2 The application was submitted in outline form with only the matters of Access and layout to be determined at this stage. Appearance, Scale and Landscaping were reserved for later determination.

1.3 The Council's decision notice sets out two reasons for refusal. These are set out below.

- *'It has not been demonstrated to the satisfaction of the County Highway Authority that adequate forward visibility of vehicles turning right into and right out of the site access is achievable for vehicles travelling eastbound on the A25 Westerham Road, due to the gradient of the carriageway and to vehicles queuing in the right turn lane at the A25 Westerham Road/Snatts Hill junction. The proposed development could therefore lead to conditions prejudicial to highway safety, which would be contrary to the objectives of the NPPF (2012), Policy CSP12 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies (2014), and objective 3 of the Surrey Transport Plan 2011-2026 'To improve road safety and the security of the travelling public in Surrey.*
  
- *'The proposal, by reason of the scale, mass, and bulk of the proposed apartments and the relationship to the boundaries, would result in an overdevelopment of the site that would fail to reflect and respect the character,*

*setting and local context and those features that contribute to local distinctiveness. The proposal would fail to comply with Policies DP7 and DP8 of the Tandridge District Local Plan 2014 Detailed Policies and Policy CSP18 of the Tandridge District Core Strategy CPD 2008.'*

- 1.4 The terms of the Council's decision notice give rise to two main issues for consideration in this appeal. The first is whether sufficient evidence has been provided to show that the proposed development would incorporate adequate visibility from the proposed access and whether the development would lead to any demonstrable harm to the conditions of highway safety around the site.
- 1.5 The second reason for refusal makes reference to '*scale, mass and bulk*' and an allegation that the development would result in an '*overdevelopment of the site*' which would be harmful to the prevailing characteristics and local context of the area.
- 1.6 The Appellant's Highways Consultants (Motion) have engaged extensively with the local planning authority and the County Highway Authority (Surrey Council Council) in respect of the first issue. The Appellant's Statement of Case in respect of highway matters can be found at **APPENDIX 1**.
- 1.7 In respect of the second issue, it is the Appellant's case that the proposal would result in an appropriate level of overall built form on site given the location and context of the appeal site, and the significant public benefits arising from the proposed development. There is not, in our view, any conflict with the planning policies stated in the Council's reasons for refusal.

**2. THE APPEAL SITE AND SURROUNDING AREA AND ANY RELEVANT PLANNING HISTORY**

- 2.1. The site is located within the built up area and is outside of any restrictive planning policy designations which would preclude residential development of this nature, in principle.
- 2.2. The site is in a highly accessible and sustainable location within easy reach of local facilities and other sustainable travel modes including bus and rail services. Oxted Railway Station is a short walk from the site, along with the local facilities contained within the High Street.
- 2.3. A detailed contextual analysis of the site and surrounding area is contained within both the Design and Access Statement prepared by Addo Design Architects and the Transport Statement prepared on behalf of the Appellants by Transport Planning and Infrastructure (TPI) Limited (now Motion).
- 2.4. At a local level the Development Plan describes the Limpsfield/Oxted area as an urban area and a 'Category 1' settlement where the Council envisages development taking place which promotes sustainable patterns of travel and also makes the best use of land. At a national level, the NPPF is clear that new developments should be directed towards sustainable locations such as the appeal site, particularly given the wider restrictions seen across the Tandridge District in terms of Green Belt and other designations. As such the appeal site represents a logical, sensible and appropriate location for more intense residential development such as that proposed.
- 2.5. In respect of relevant planning history on site, the existing building has benefitted from a single storey conservatory extension which was granted a Lawful Development Certificate in 2007 under reference 2007/1219. More recently in 2010 under reference

2010/1316, planning permission was granted for a domestic single storey rear extension.

### **3. THE APPEAL PROPOSAL**

- 3.1. The application to the Council was supported by a suite of supporting documents and statements including a Design and Access Statement and Planning Statement prepared by the Applicants. This contains a detailed analysis of the application proposal.
- 3.2. In summary, the scheme involves the demolition of the existing two storey dwelling on site and the erection of a high quality apartment block containing 14 residential units.
- 3.3. Each of the proposed flats would have two bedrooms and two bathrooms, with five apartments proposed on the ground floor, a further five on the first floor and four flats within the second floor. The building has been designed around a central core providing access to the individual flats.
- 3.4. The main access into the building is located in the front elevation in a central position. The core contains a stair and lift to the upper floor accommodation.
- 3.5. Whilst Scale, Appearance and Landscaping are reserved matters, the indicative elevation drawings indicate the high quality design and a building which respects local characteristics in terms of external features. Some of the first floor apartments benefit from balcony areas to provide some private amenity space although the sizeable plot will allow a good amount of external amenity areas for all future occupants to utilise on a communal basis.
- 3.6. The building has been designed to utilise full hip and barn hip roofs to keep the additional mass on site away from the site boundaries, and the building represents a conscious design choice to introduce a building with the external appearance of a

substantial single dwelling house, with a logical internal layout to provide high quality apartments. Again, whilst Appearance is a reserved matter, the indicative elevation drawings provided give a good indication that a high quality building can be introduced on site which will maintain significant separations to all site boundaries given the overall dimensions of the plot.

- 3.7. The proposal provides for a total of 21 unallocated spaces which provides the required level of car parking in accordance with the Council's Parking Standards SPD. The car parking provision made on site includes visitor car parking.
- 3.8. Suitable provision has been made for cycle parking and for the storage and collection of refuse bins which would utilise the existing arrangements.
- 3.9. It is noted that the Council's first refusal ground makes reference to insufficient information being provided in order to satisfy the County Highway Authority that existing conditions of highway safety would not be prejudiced. Discussions with Surrey County Council have been ongoing since the refusal of planning permission and the details of this discussion are covered later in this statement.

**4. RELEVANT PLANNING POLICY CONSIDERATIONS**

- 4.1. The Inspector's attention is drawn to section 3 of the Planning Statement prepared by the Applicants as this sets out a detailed breakdown of all relevant planning policy considerations at a national and local level. It is clear that the development plan in this instance comprises the Tandridge District Council Core Strategy (2008) and the Tandridge Local Plan Part 2 – Detailed Policies (2014).
- 4.2. The Council's decision notice alleges conflict with policies CSP12 (Managing Travel Demand) and CSP18 (Character and Design) of the Core Strategy. Reference is also made to Local Plan policies DP7 and DP8 which deal with general requirements for new developments and residential garden land development respectively. The detail of these policies are set out below.
- 4.3. Core Strategy Policy CSP12 deals with managing travel demand and sets out that the Council will require new development to make improvements (where appropriate) to the existing infrastructure network, including road and rail and facilities for bus users, pedestrians and cyclists and for those with reduced mobility. The policy also states that the Council will have regard to adopted highway design standards and vehicle and other parking standards.
- 4.4. As set out above, and acknowledged in the Planning Officers report, the development is wholly compliant with the Council's parking standards and makes suitable provision for refuse, storage and collection and cycle storage in accordance with the Council's requirements. The Transport Statement submitted to the Council also assesses the proposal and the access which is to be provided via an existing private drive from Westerham Road. The junction of the private drive with the highway network accords with the relevant design guidance and there is, therefore, no conflict with Policy CSP12.

- 4.5. Policy CSP18 relates to character and design and requires all new development within built up areas to be of a high standard that reflects and respects the character, setting and local context of each individual site. The Council are keen to ensure that new developments contribute to local distinctiveness. The policy also looks to protect the amenities of the occupiers of neighbouring properties in respect of any overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effects.
- 4.6. The policy also seeks to protect the 'wooded hillsides' which are in built up areas in order to ensure the new development does not adversely affect the character of these areas and there is no overall loss of tree cover. It should be noted that there are no objections raised to the proposal by the Council's Tree Officers from an arboriculture or landscape perspective. There is, therefore, no conflict with this strand of Policy CSP18.
- 4.7. In respect of any effect on the character of the area, this is a particularly subjective assessment and one which is considered in further detail in this statement. It should also be noted, however, that the Planning Officer's report which considers the proposal concludes that there are no objections in respect of any effects on the residential amenities of neighbouring properties.
- 4.8. Local Plan Policy DP7 is a general policy for new development and requires all proposals to be of a high quality of design. The policy requires an element of subjective assessment to be undertaken in respect of how any proposal will integrate effectively with each individual site's surroundings.
- 4.9. The Policy sets out a series of criterion against which all proposals will be assessed. These relate largely to the overall design of any proposal, including car parking provision, and the effect that any development will have in terms of nearby residential amenities including privacy. It is our view that there is no conflict with the overall objectives of Policy DP7 particularly given the context of the appeal site, the sustainability of the location, and the high quality design being proposed. It should be



stated again that the matters of Scale, Appearance and Landscaping are reserved for later determination.

- 4.10. Local Plan Policy DP8 deals with residential garden land development and, again, requires a somewhat subjective assessment in relation to the overall size and scale of new proposals and the effect that this would have on the character and appearance of the area. The Council are keen to avoid any inappropriate sub-division of existing curtilages and to maintain a frontage which is in keeping with the existing street scene. ‘Tandem’ development is generally resisted although this is not the type of development which is proposed as part of this appeal.
- 4.11. Again, in our view, there is no conflict with the strategic objectives of Policy DP8. There would be no inappropriate sub-division of the existing curtilage, tandem development is not being proposed, the existing frontage would remain largely unchanged, and the supporting evidence provided to the Council shows that the proposal does not result in the loss of bio-diversity or an essential green corridor or network.
- 4.12. It is our firm view that the context and characteristics of the appeal site are such that the replacement building proposed is of an appropriate scale and design which would complement the wider characteristics of the area.

**5. COMMENTS ON THE PLANNING OFFICER'S DELEGATED REPORT**

- 5.1. As part of the assessment of the planning application, the Council's Planning Officer prepared a report which sets out the justification for the Council's eventual reasons for refusal. This report has been reviewed and makes some interesting comments which are of note in the determination of this appeal.
- 5.2. The report acknowledges that the appeal site is located within the built up area where there is no objection in principle to new residential development. Indeed, we would add that there is significant local and national policy support for making more efficient use of existing residential sites in accessible and sustainable locations.
- 5.3. The report also recognises that the existing site is characterised by '*dense and mature trees, shrubs and vegetation*' along its boundaries. This is an important consideration when assessing any impact the proposal would have from a visual perspective.
- 5.4. Within the 'assessment' section of the report, the Officer recognises that '*the site is well located*' and as such there is no conflict with Policy CSP1 of the Core Strategy or Policy DP1 of the Tandridge District Local Plan. Policy CSP1 outlines that Oxted (including Limpsfield) is a Category 1 settlement and as such, development in this location is promoted on the basis that there is a choice of modes of transport available and sites within such locations are a short distance from local services.
- 5.5. Policy DP1 of the Local Plan relates to sustainable development. The NPPF is clear that development which is recognised as being 'sustainable' should go ahead without delay, particularly given the significant and substantial benefits arising from the provision of new residential accommodation.
- 5.6. On the basis of a lack of any identified conflict with Policy CSP1 of the Core Strategy or Local Plan Policy DP1, then it is clear that there is significant local policy support for this proposal.

- 5.7. Similarly, in respect of Core Strategy Policy CSP7, the Planning Officer recognises that the appeal proposal would deliver 14 high quality two bedroom apartments ‘*in an area where there is demand for such accommodation and will meet the particular need identified across the district*’. Again, this points heavily towards planning permission being granted.
- 5.8. The Officer then goes on to consider the effect on the character and appearance of the area. The report recognises that the existing dwelling is of a modest size in comparison to the size of the plot, is positioned well away from the boundaries and is well hidden from the public domain by virtue of the existing mature vegetation at the boundaries. The report considers that the proposed block of apartments would be positioned ‘*much closer*’ to the north-western boundary of the site and as such “*whilst views of it would be partially screened by vegetation, it would still be visible in glimpsed views from the north*’ and it is also suggested that the existing planting on site would only mitigate any visual impact to a ‘*certain extent*’.
- 5.9. In response, we would urge the Inspector to consider that the built form of the existing development on site is currently visible. It should also be highlighted that any ‘partial glimpsed views’ of the proposed building will only be captured from certain locations from the north, and not from all viewpoints.
- 5.10. We would urge the Inspector to consider the details shown on plan reference 17/38904 Revision C (Proposed Block Plan) which clearly sets out the distances to be maintained to the site’s boundaries. Whilst it is clear that the proposed replacement building will be larger than the building currently on site, it would continue to maintain a separation of in excess of 9 metres to the northern boundary, nearly 14 metres to the eastern boundary and a significant separation to the southern boundary. The principal elevation of the proposed block would be some 45 metres from the north-western boundary of the site, and it remains our view that the building will not be wholly visible from the public realm given the substantial existing vegetation on site.

- 5.11. We would also urge the Inspector to consider the 3D Sketch Views (plan reference 17-389-11 Revision B and 17-389-13 Revision B) which clearly illustrate that the proposed building will be extensively screened when viewed from Westerham Road behind the existing vegetation.
- 5.12. We would highlight again this application is in outline form with Landscaping a reserved matter. It is therefore possible to include details of additional or strengthened boundary screening where necessary as part of any application to approve the Landscaping matter itself.
- 5.13. The Planning Officer's report considers that the proposed replacement building would be '*out of keeping with the overall size and scale of development in this area*'. Whilst the Appellant recognises that the replacement building would be larger than the existing building on site, this must be considered in the context of the overall size of the plot. When considering the general spatial standards evident on this side of Westerham Road, the proposed building would maintain significant separations to all boundaries commensurate with (or indeed larger than) nearby plots.
- 5.14. The proposal must also be considered against the strategic objectives of Policy CSP1 of the Core Strategy and Policy DP1 of the Local Plan, in conjunction with the thrust of housing policy in the framework, which seeks to promote new housing development (and perhaps more intense housing development) on well located, accessible and sustainable sites in the urban areas.
- 5.15. The Appellant does not feel that the suggestion of any conflict with Policy DP8 and Core Strategy CSP18 is justified in the circumstances.
- 5.16. The report goes on to consider the effect of the proposal on the residential amenities of neighbouring occupiers. This section of the report contains something of a contradiction where it states that '*the separation distances to existing residences would*

*be in accordance with local plan policy and as such, no undue loss of privacy or overbearing issues arise*'. On the basis that it is recognised that the separation distance between residences is in accordance with local policy, this does not seem to fit with the allegation that the proposal would be an 'overdevelopment' of the site or result in any harmful effect on the character and appearance of the area.

- 5.17. The Officer concludes that there would no significant effects on neighbouring occupiers and therefore no objections on the basis of the requirements of Policy DP7 or Policy CSP18 of the Core Strategy.
- 5.18. The report then considers highway safety and car parking and makes reference to the Technical Note provided to the Council on 15<sup>th</sup> March 2018 which sought to address comments which were received by the County Highway Authority. The report recognises that the Appellant agreed to amend the gradient of the access road and to widen the existing access to enable two way vehicle movement. The Officer's report confirms that Surrey County Council considers the access to be '*acceptable in highway safety terms*'.
- 5.19. The Officer's report goes on to reference the ongoing discussions between the Applicant and Surrey County Council in respect of forward visibility of vehicles turning right into and right out of the site access. We would refer the Inspector to the Highways Statement of Case which is appended to this statement; this sets out the details of the discussion between the Appellant and SCC and the further work that has been carried post-submission of the planning application, and following the Councils refusal.
- 5.20. The Planning Officer's report considers that the provision of 21 car parking spaces meets the requirement set out within the Tandridge Parking Standards SPD and, therefore, is compliant with Policy DP7 in respect of car parking provision.
- 5.21. The report confirms that there are no objections to the demolition of the existing building which, is recognised by Historic England as not possessing the high quality of

design and detail found in the best and most creative examples of Arts and Crafts style development. No objection is raised by either Historic England or the local planning authority in respect of the principle of the demolition of the existing building and its replacement.

- 5.22. It is recognised by the Planning Officer that the scheme provides for solar panels on the south facing roof slope which would therefore meet the requirements of Tandridge District Core Strategy Policy CSP14.
- 5.23. In respect of trees on site, the application was supported by a detailed Arboricultural Assessment carried out on behalf of the applicants by Canopy Consultancy. This report has been reviewed by the Council's Tree Officer, and a revised report submitted which dealt with some initial concerns. The planners report confirms that '*no objections are raised on arboriculture or landscape matters and the scheme meets the requirement of section 4.3 of the Tandridge Trees and Soft Landscaping SPD (2017)*' and, therefore, no objection is raised as the proposal meets the relevant requirements of Core Strategy Policy CSP18 and Local Plan Policy DP7 in respect of trees.
- 5.24. From a biodiversity perspective, the Surrey Wildlife Trust has raised no objections subject to suitable conditions. Again, no objection is identified with the objectives and requirements of Policy CSP17 of the Core Strategy.
- 5.25. In summary, the Planning Officer's report concludes that the proposal represents a development which is acceptable in terms of any impact on neighbouring residential amenity and raises no objection from a trees, bio-diversity, renewable energy, drainage or car parking provision perspective. The issues for consideration in this appeal, therefore, are whether the appeal proposal would give rise to any materially harmful effects on the provisions of highway safety by virtue of forward visibility of vehicles entering and existing the site, and whether the proposal would represent a 'overdevelopment' of the site which would be out of character with the local area.

5.26. These issues are covered in the next section.

**6. PLANNING ISSUES AND GROUNDS OF APPEAL**

6.1. The terms of the Council's decision notice give rise to two issues for consideration. The first being the provision of adequate sightlines and the condition of highway safety, and the second being the effect of the proposal on the character of the area.

***Issue One – vehicle sightlines/visibility and highway safety implications***

6.2. The focus of the first reason for refusal relates to whether the proposal will provide adequate forward visibility of vehicles turning right into and right out of the site, and whether any highway safety issues would arise as a result.

6.3. **APPENDIX 1** contains a detailed statement prepared on behalf of the Appellant by Motion who are traffic and transport consultants. Motion have engaged extensively with both the local authority and County Highways Authority post-submission of the application and following the refusal of planning permission.

6.4. The NPPF is clear that development should only be prevented on transport grounds if it can be robustly demonstrated beyond doubt that the impact, in highway terms, would be 'severe'.

6.5. The evidence provided is clear that:

- The existing access junction will be improved as part of the proposal to enable two cars to pass at the access, whilst the gradient of the access road will be altered to adhere to SCC design guidance;
- Since the refusal of the planning application, SCC has acknowledged that forward visibility is acceptable for vehicles approaching the site in an eastbound direction;

- Traffic and queue surveys have been undertaken to quantify the existing situation on the surrounding road network. The surveys show that whilst queuing does occur at the junction, it is not excessive and can be accommodated within the right turn lane;
  - Personal Injury Accident (PIA) data reveals no inherent road safety problems at the A25/Snatts Hill junction. Indeed, no incidents have occurred during either the weekday morning or evening peak hour over the last five years; and
  - Traffic flow associated with the site is considered negligible.
- 6.6. The statement and evidence provided by Motion demonstrates that the appeal proposal cannot reasonably be considered to have a ‘severe’ impact in highways safety and transport terms.
- 6.7. On that basis, a refusal of planning consent on transport grounds is considered to be unreasonable and unsustainable in this case.

**Issue Two - whether the proposal represents an ‘overdevelopment’ and whether the character and appearance of the area would be harmfully affected**

- 6.8. In relation to the second reason for refusal, we consider there to be a number of areas of common ground with the local authority in respect of the requirements of Policy DP7 DP8 of the Local Plan and Core Strategy Policy CSP18.
- 6.9. Core Strategy Policy CSP18 requires new development to be of a ‘high standard of design’. The Inspector will recognise that the matters of Appearance and Scale are reserved in this instance, however, a high quality set of indicative plans have been provided which show that the development will be of an extremely high quality, utilising an appropriate palette of materials in order to ensure that the resulting development represents a positive contributory factor to local distinctiveness.



- 6.10. Similarly, the Planning Officers own report recognises that the amenities of occupiers of neighbouring properties would not be harmfully affected. Policy CSP18 also requires development proposals to be acceptable in terms of any tree impact, and also from a biodiversity perspective. On both counts the Planning Officers delegated report clearly states that there are no conflicts in respect of these issues.
- 6.11. Turning to Policy DP7 of the Local Plan we are also of the firm view that there is no conflict with the objectives of this policy. The proposal respects the building line on this side of Westerham Road, and will introduce a replacement built form which would use complementary building materials and would maintain significant separation to the site boundaries. Indeed, the Planning Officer's report recognises that the separation between the properties on this side of the road resulting from the appeal proposal would be commensurate with the requirements of local policy.
- 6.12. Policy DP7 makes reference to car parking standards; there is no objection in this regard seeing as 21 spaces are being provided to serve 14 units.
- 6.13. Other criteria contained within Policy DP7 relate to neighbouring amenity, privacy and a satisfactory environment for future occupiers. The amenities of neighbouring properties would be unharmed by this proposal, and the resulting residential units would be of a high internal and external layout which would provide a good quality living environment for future occupiers.
- 6.14. There is no objection to the proposal from a trees perspective, and Landscaping is a reserved matter. On the basis of the above there is, to our mind, no reasonable allegation of conflict with the overall objectives and requirements of Policy DP7.
- 6.15. In respect of Policy DP8 and developments involving residential garden land, it is our firm view that the proposal does not represent a form of development which is inappropriate given the context and surroundings of the site. There is no subdivision of

the existing curtilage taking place and the existing street scene would be largely unaltered given the significant degree of screening visible on site, as identified above.

- 6.16. The Inspector will recognise that the appeal site represents a spacious plot in an extremely well located and sustainable location. It represents one of the last remaining and largest plots in central Oxted; the proposed development would be commensurate with several flatted developments nearby.
- 6.17. To the west, all within 800m of the appeal site, are flatted developments including the approved and built schemes at West Hill Place, West Hill (c.20 apartments) Burwood, West Hill (8 apartments), Stack House, West Hill (18 apartments) and East Hill Court, West Hill (18 apartments). Each of these developments are located on the A25.
- 6.18. To the east, within 100m, No. 24 Westerham Road is a development of converted apartments. Flatted developments, therefore, clearly form part of the varied character of the immediate area.
- 6.19. Scale is a reserved matter, however, the building has been designed to represent a density of 28 dwellings per hectare. This is lower than the acceptable density levels set out in Core Strategy Policy CSP19 and is considered to be wholly appropriate given the character of the area. Whilst the immediate character of the area comprises mainly large detached two/three storey dwellings there are also other buildings comprising flats to the east and west (as referenced in para 6.17 above).
- 6.20. Given the sustainability of the location and the accessibility to local facilities and alternative modes of transport, this site is considered to be a wholly appropriate and logical location within which to place a more intense development than the existing single dwelling. This represents the more efficient use of the land and will provide a development which is recognised by the Local Authority as having no negative effects on neighbouring residential amenity.

6.21. In summary, we do not feel that there is any reasonable allegation of conflict with Core Strategy Policy CSP18 or Local Plan Policies DP7 and DP8. On that basis the refusal of planning permission would seem to be unreasonable in the circumstances.

## **7. CONCLUSIONS**

7.1. To summarise, it is the appellant's view that the proposal represents a development of an appropriate design and scale which is commensurate with local characteristics and makes an efficient use of the land. The site is located within the urban area and is recognised as being a sustainable location.

7.2. The Council have undertaken a particularly subjective assessment of the proposal and seem to have concluded that as the proposed replacement building is larger than the building that it replaces that this would be an "overdevelopment" of the site which would be harmful to the area. Having considered the policy requirements of CSP18, DP7 and DP8 we are of the firm view that there are no indicators of "overdevelopment" being proposed and no conflict with the overall requirements of these policies.

7.3. While the proposal would differ from the existing single family dwellinghouse on site (which was formerly 2 separate dwellings), the Inspector will recognise that 'change' is not necessarily synonymous with 'harm'.

7.4. The Inspector will be cognisant of the significant social, environmental and economic benefits associated with the provision of new high quality residential units. These benefits, in our view, clearly outweigh any perception of a harmful effect on the character of the area.

7.5. The Council recognise in their Officers report that "*the proposal would provide for 14 x 2 bed flats in an area where there is a demand for such accommodation and which will*

*meet the particular need identified across the District*". This must carry substantial weight in the overall planning balance.

- 7.6. Any effects on local characteristics are clearly a matter of judgement, however, on the basis of a lack of any harm to the residential amenities of neighbouring properties and the lack of any objection from the Council's Tree Officer's or from a flooding and biodiversity perspective, the balance should tip firmly in favour of planning permission being granted on this occasion.
- 7.7. In respect of the issue around site lines and conditions of highway safety, the evidence provided as part of this appeal clearly demonstrates that any impact of the appeal proposal in highway terms will not be 'severe', and the Council's/SCC's position is not supported by the evidence.
- 7.8. In light of the analysis provided as part of this appeal, and from the ongoing discussions with the Local Planning Authority and the County Highway Authority (SCC) we are of the firm view that there is no conflict with paragraph 32 of the Framework, Policy CSP12 of the Core Strategy, or Policy DP7 of the Local Plan insofar as highway matters are concerned.
- 7.9. On the basis of the foregoing we would urge the Inspector to consider the obvious benefits associated with the provision of new residential accommodation within the urban area and within a Category 1 settlement which is identified as being able to accommodate new additional residential development. The wider district is heavily constrained by Green Belt and other restrictive policies such that the development is a logical location within which to deliver a more intense development.
- 7.10. In all of the circumstances and in light of the material considerations of this case, we respectfully request that as a consequence of a lack of conflict with the relevant planning policies, planning permission should reasonably be granted for this proposal.



7.11. We therefore respectfully request that this planning appeal is allowed, subject to any necessary safeguarding planning conditions.

**APPENDICES**

**APPENDIX 1**      Highways Statement of Case prepared by Motion on behalf of the Appellants