
Appeal Decision

Site visit made on 1 December 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th January 2017

Appeal Ref: APP/L3625/W/16/3156676

34, 34A, 36, 36A Lesbourne Road, Reigate, Surrey, RH2 7LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Roger Sargent against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/00078/F, dated 26 January 2016, was refused by notice dated 22 March 2016.
 - The development proposed is described as "Existing building to be extended to provide two flats".
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Decision

1. The appeal is allowed and planning permission is granted for the existing building to be extended to provide two flats at 34-36 Lesbourne Road, Reigate, Surrey, RH2 7LD in accordance with the terms of the application, Ref 16/00078/F, dated 26 January 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Floor Plan; 15/1A; 15/2A; 15/3; 15/4.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) The second floor windows in the side (east and west) elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be retained as such thereafter.

Application for costs

2. An application for costs was made by Mr Roger Sargent against Reigate & Banstead Borough Council. This application is the subject of a separate Decision.
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Preliminary Matters

3. The Council originally refused planning permission for three reasons. The Council's third reason for refusal related to the failure to provide a financial contribution towards affordable housing provision in the Borough. Subsequently, the Council has reviewed its approach to affordable housing contributions in light of recent appeal decisions and Government guidance that such contributions should not be sought in connection with developments of less than 10 dwellings (PPG paragraph Reference ID: 23b-031-20160519). The Council has now confirmed that it is no longer requiring financial contributions towards affordable housing from developments below this threshold. Accordingly, the Council is no longer seeking to pursue this reason for refusal. It has not therefore formed part of my deliberations.
4. The submitted application form was not dated. I have therefore taken the date of the application, above, from the submitted appeal form and the planning officer's report.

Main Issues

5. The main issues are the effect of the development, firstly, on the character and appearance of the area and, secondly, on the living conditions of No 32 Lesbourne Road with regard to loss of light.

Reasons

Character and appearance

6. The appeal building is a small block of flats that is of post-war construction and plain design. It is in a different style and uses different materials to the adjacent properties, which are both taller than the appeal building. The properties along Lesbourne Road are mostly traditional in character, although there are some modern developments in the area, particularly on the northern side of the street.
7. Given this difference in appearance, it is already out of character with the predominant style of the area. In particular, it is shorter than both of the adjacent properties, and has an unsympathetic gable roof profile. The proposed increase in height would be appropriate given the height of the adjacent properties. The extended building would still have a lower ridge height than No 38, and whilst the eaves height would be above that of the neighbouring properties, this would not be out of keeping with the varied eaves heights in the area. The roof shape of No 32 is also unusual and its eaves would be partly above the extended building on the Lesbourne Road frontage.
8. Also, the appeal building is set back from established building line and is less visible in longer views than the adjacent dwellings, and is less prominent in the street. Accordingly, the proposed extension would not be visually intrusive or unduly prominent. The proposed design would also introduce a more sympathetic roof profile, and would not harm the design of the existing building, which is of its time.
9. For the above reasons, I conclude that the development would not unacceptably harm the character and appearance of the area. It would therefore be in accordance with Policies Ho 9, Ho 13, and Ho 16 of the Reigate

and Banstead Borough Local Plan (2005), and guidance contained in the Local Distinctiveness Guide Supplementary Planning Guidance (SPG).

Living conditions

10. The appeal building is set back from the adjacent properties, and projects further to the rear. At present it already extends beyond a 45 degree line as measured from the nearby windows in No 32. The existing building is therefore currently in breach of the Council's usual requirements, as set out in the Household Extension and Alterations SPG.
11. There is no dispute that a sufficient separation distance would remain to ensure that there would be no unacceptable overbearing effect to occupiers of No 32. However, some loss of light would be inevitable given the additional storey. In this regard, the effect of the proposal on the ground floor windows of No 32 would be minimal given the existing building is already 2 storeys in height on the same footprint. Whilst there would be some additional impact on the nearest first floor window, this would be limited, and not significantly more harmful than the existing situation. I further note that the rear of these properties face northwards and the sunlight that reaches the windows is therefore restricted in any event.
12. With regards to the potential for overlooking, this could be addressed by a condition requiring that all windows in the side elevations be obscurely glazed. This would ensure that no unacceptable loss of privacy would occur.
13. I conclude that the development would not unacceptably harm the living conditions of occupiers of No 32 with regard to loss of light. It would therefore be in accordance with Policy Ho 9 of the Reigate and Banstead Borough Local Plan (2005), and guidance contained in the Household Extension and Alterations SPG.

Other Matters

14. The development proposes a single parking space for each flat in the block, including the 4 existing dwellings. In my view this is an adequate level of car parking for a scheme consisting of 2 bedroom flats. I further note that the Highway Authority have not objected to the development on these grounds.
15. The development would not bring the building any closer to the properties on the opposite side of Lesbourne Road, and would replicate the existing pattern of development that exists along the street. Accordingly, it would not result in any unacceptable overlooking to the properties opposite.
16. Any effects from the construction period would be short-term and could be mitigated by careful construction management.

Conditions

17. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. A condition requiring the external materials to match the existing building is also necessary in order to preserve the character and appearance of the area. I have imposed a further condition that requires the

windows in the side elevations to be obscurely glazed. This is necessary to protect the privacy of adjacent occupiers, and the privacy of future occupiers of the development with regards to the proposed bathroom windows.

Conclusion

18. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR