

Appeal Decision

Site visit made on 9 January 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 26 January 2017

Appeal Ref: APP/L3625/W/16/3155624

Spinney House, The Drive, Banstead, Surrey, SM7 1DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Aventier Limited against the decision of Reigate & Banstead Borough Council.
 - The application Ref 15/02301/OUT, dated 14 October 2015, was refused by notice dated 2 February 2016.
 - The development proposed is the demolition of existing dwelling and replacement with 2 semi-detached 3-bedroom dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline with only access, layout and scale to be determined at this stage and I have dealt with the appeal on that basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area, having regard to the street scene, the setting of Nork Park, an historic garden, and the likely long term effect on trees.
4. A third reason for refusal relating to affordable housing is no longer being pursued by the Council following recent changes to national planning policy as to the specific circumstances where contributions for affordable housing should not be sought from small scale development.

Reasons

5. The Drive is a long and relatively straight residential road. It is lined with mature lime trees and leads to Nork Park, which is an historic park, therefore The Drive contributes to the wider setting of this heritage asset. The properties along The Drive are of varying designs but are, predominantly, large detached houses which occupy relatively wide and spacious plots with long rear gardens.
 6. The proposal is to demolish the existing two-storey detached dwelling and to replace it with a pair of semi-detached properties. The widths of rear gardens belonging to properties along The Drive are broadly similar. However, the resulting rear gardens as a result of the subdivision of the plot would be
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- uncharacteristically narrow. Although this would not be visible from any public viewpoints private views would be possible from neighbouring properties, and as such the character and appearance of the private realm would be harmed.
7. The existing driveway is to be relocated to form a new shared central driveway with parking and areas of front garden on either side. I saw no other shared frontages along The Drive during my visit. Although the proposal shows an open plan layout to the front it would quickly become apparent that the area was shared, for example, due to the different treatment of these areas by their respective owners. The number of cars parked across the frontage would also be materially greater due to the higher density of the site; similarly the number of bins would be greater. This would draw attention to the subdivision of the plot which would be out of keeping given the existing layout of development along The Drive.
 8. There are two mature trees located to the front of the property outside of the site boundary. Presently, they are heavily constrained by the highway, footpath and the existing drive at Spinney House. This is likely to have affected the shape and depth of these trees' roots which could, as a result, extend into the existing front garden at the property where the new driveway is proposed. In the absence of any arboricultural evidence to the contrary it is highly likely that the proposed driveway would pose a significant risk of harm to the roots of these trees. Although not protected by a Tree Preservation Order their loss would cause considerable harm to the character and appearance of the street scene and the wider setting of Nork Park.
 9. I find limited harm in respect of the ridge or eaves height specifically given the variety along The Drive in this respect. However, the replacement semi-detached dwellings would sit noticeably forward of the properties either side, in part to accommodate the depth of building proposed. Furthermore, to accommodate this depth whilst restricting its height, a flat crown roof is shown. This type of roof form would have a bulky appearance and would be out of character with the predominantly fully pitched roof forms in the immediate vicinity. It would also be highly visible from the road due to its forward siting. Whilst matters of appearance are reserved for future consideration I am not persuaded a development of the scale proposed could be designed without appearing overly large or bulky.
 10. In summary the scale and layout of the development would appear overly bulky and prominent, and out of character with the more spacious and lower density development along The Drive. Furthermore, on the evidence before me, the access would likely harm the trees to the front of the property, the loss of which would further harm the character and appearance of the surrounding area and the setting of Nork Park. For these reasons the proposal conflicts with Policies Ho9, Ho13, Ho16, Pc4 and Pc11 of the Reigate and Banstead Borough Local Plan 2005, and the Reigate and Banstead Local Distinctiveness Guide Supplementary Planning Guidance (2004). These require new development to respect local character by, amongst other things, conforming to the pattern of development in the surrounding area, protecting the setting of historic gardens, and protecting trees. The appeal is therefore dismissed.

Hayley Butcher

INSPECTOR