The Planning Inspectorate

Appeal Decision

Site visit made on 23 January 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 21 February 2017

Appeal Ref: APP/L3625/W/16/3161189
Noor, 70 Woodland Way, Kingswood, Surrey KT20 6NW.

- 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 Mr Ali Peerbhoy against the decision of Reigate & Banstead Borough Council.
- The application Ref 16/00573/OUT, dated 1 March 2016, was refused by notice dated 21 June 2016.
- The development proposed is the demolition of existing dwelling and detached garage and erection of 2 No detached dwellings with associated garages and vehicular access.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline, with only access and layout to be determined at this stage. I have dealt with the appeal on that basis, treating the elevations and floor plans as illustrative.

3. The Council's Appeal Statement confirms that it no longer wishes to pursue its second reason for refusal relating to an affordable housing contribution. I have determined the appeal accordingly.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

5. The appeal site comprises a substantial detached residence known as 'Noor' located on the south side of Woodland Way. As is typical in the area, the site is enclosed by mature landscaping and accessed via a gated driveway. There is a public footpath adjacent to the western site boundary.

6. The wider area is distinguished by an array of large detached houses occupying extensive plots. This settlement pattern along with the prevalence of mature trees and landscaping along the roadside and set further into many of the plots are principal components of the locality. These features lend the area a spacious and verdant quality which is further enhanced by a wide variety of building types and architectural styles. It is undoubtedly a residential environment of the highest order which conveys a sense of tranquillity and exclusivity.

7. These qualities are reflected in Policy Ho 15 of the "*Reigate and Banstead Borough Local Plan 2005"* (LP) which designates the site and surrounding area as an *Area of Special Character* (RASC) where specific policies apply that seek to maintain the open and spacious character.

8. Policy Ho15 sets out development criteria for RASC's and this states that redevelopment will not normally be permitted The supporting text states that RASCs comprise areas of mainly low density development which still retain a special and cohesive character of substantial dwellings in spacious grounds. Amplification (2) indicates that in assessing the impact of proposals the character and appearance of the surrounding area should be taken to relate to the entire RASC and not just the immediate vicinity of the development site. The "*Reigate and Banstead Local Distinctiveness Design Guide"* (the DG) states that proposals for plot sub-division should retain a common building line where this exists, and plot widths should reflect those within the vicinity. Policies Ho9 and Ho13 of the LP reinforce the need to maintain the character of an area when residential development is proposed.

9. I share the Council's concerns about the effect of the development on the area's special character. The plots would be appreciably smaller than those that prevail across the wider RASC. The indicative plans demonstrate that the footprints of the dwellings would be substantial particularly in terms of width and would be in close proximity to the plot boundaries in marked contrast to the existing dwelling and its immediate neighbours. Their proximity to each other and their skewed orientation would also add to their incongruence.

10. Whilst it would be unfair to describe the layouts as cramped in absolute terms, they would appear relatively cramped in their context and create a more close-knit pattern of development than is typical across the wider RASC which, in my view, would mark a conspicuous departure from the prevailing settlement pattern. Consequently, the proposal would diminish the special and cohesive character and the typical characteristics of the RASC.

11. The appellant has cited other development in the area in support of the scheme. However, given the limited information before me, I do not know the location or circumstances of these developments and cannot therefore be sure they are comparable to the scheme before me. The Council argues that plot subdivision in the locality has had a deleterious effect on the character and appearance of the area. Consequently, I have assessed the appeal scheme purely on its own merits.

12. I have considered the appellant's view that the plot sizes would be in keeping with the locality. However, such a claim is unsupported by objective analysis and Policy Ho15 is clear that it is both the impact of a development on its immediate surroundings and on the wider RASC that is relevant when assessing a proposal.

13. Based on the foregoing, I conclude that the proposal would harm the character and appearance of The Warren and The Glade RASC. The proposal would thus conflict with policies Ho9, Ho13, Ho15 and Ho16 of the LP and guidance in the DG.

Conclusion

14. I accept that the development would make efficient use of the land and no harm would be caused to future or neighbouring occupiers. However, these matters do not outweigh the harm to the character and appearance of the area and the conflict with the local plan and national policy in that regard.

15. For the reasons given above and taking into account of all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector