

Appeal Decision

Site visit made on 20 February 2017

by Kenneth Stone BSc Hons DipTP MRTPI

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

Decision date: 01 March 2017

Appeal Ref: APP/L3625/W/16/3162910

12 Beech Road, Reigate, Surrey RH2 9LR

- 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 and Mrs Bates against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/01811/F, dated 2 August 2016, was refused by notice dated 12 October 2016.
 - The development proposed is the erection of a dwelling with associated parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Bates against Reigate & Banstead Borough Council. This application is the subject of a separate Decision.

Procedural matters

3. The Council refused planning permission for three reasons. The Council in its appeal statement confirmed that it will be no longer pursuing the third reason for refusal; that related to the failure to provide an agreed contribution to fund affordable housing. This is therefore no longer a contested matter in this appeal.

Main Issues

4. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the surrounding area, including the Pilgrims Way and Beech Road Residential Area of Special Character (RASC); and
 - the living conditions of the occupiers of 12 Beech Road and future occupiers of the proposed dwelling, with regard to outlook.

Reasons

Character and appearance

5. The appeal site is formed from the front garden of a sizable detached property located in substantial grounds fronting onto Beech Road. The existing property
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has been significantly extended and sits to the rear of its plot, somewhat at odds with the pattern of development in the area where properties are located on a more consistent building line further forward on their plots. The general area is one of low density with large houses located in generous plots with extensive mature landscaping. The road has grassed verges with no footways with mature landscaped boundaries and properties set back away from the road contributing to the spacious character of the area.

6. The general character is one of a low density, high quality suburban environment. Within Beech Road the properties to the south of the appeal site are more closely spaced and more modest properties than those to the north where the properties are, generally, larger and more generously spaced. The quality of the area is recognised by the inclusion of the properties to the north of the appeal site, and including the majority of the appeal site, being included within the Beech Road and Pilgrims Way Residential Area of Special Character designation.
7. The proposed development seeks to insert a new detached two storey dwelling into the front garden of 12 Beech Road. The new property would be aligned with the properties on either side such that it would reflect the existing set back of properties in the street. This however is only one aspect of those factors that contribute to the character of the locality. The proposed plot would be curtailed by a rear boundary wall close to the rear of the proposed house, and given the scale of the property the existing house would remain readily visible to the rear. The close relationship of the properties and the intervening boundary wall would be apparent through the drive and in glimpsed views in the surrounding area and would result in a cramped appearance. The plot sizes at this section of the street and northward are significantly larger and the cramped nature would be detrimental to the character of the area.
8. I note the detailed analysis of plot sizes and the references to the plot size of a previous appeal¹. However, such analysis demonstrates that the proposed plot would be at the lower end of the range of sizes in the wider area and I have had regard to the immediate surroundings and the effects as I judged them on site.
9. The existing open and spacious character of the street is enhanced by the existing arrangements on this site and which adds to the RASC. The smaller plot size proposed and the relationship of the plot sizes for the existing property and the proposed property would be seen in the context of the immediately surrounding properties and would in my judgement harm the spacious appearance and character of this part of the street and RASC. Whilst the width of the existing plot and the existing access would be retained, and as such reflect the area, it is the location of the proposed property, its more limited plot depth and its relationship with the existing property behind that would result in the detrimental change.
10. The proposed scheme introduces a modest detached house onto this plot. In my view this adds to the conflict with the character of the area. The proposed property would be generally smaller than those surrounding and given the plot width would appear significantly smaller. The appellant has suggested that the scheme introduces a redesigned scheme in an attempt to overcome concerns expressed in relation to a previous scheme and to better reflect the spacious

¹ T/APP/L3625/A/95/255263/P5

character of the area. However, in so doing the smaller width property would allow views of the existing property to the rear to be clearly seen, further underlining the tandem relationship between the properties and their close relationship.

11. The appellant suggests that the tandem relationship that would be created would be little different from other developments in the area where backland developments have taken place and new dwellings inserted to the rear of other properties. Whilst a number of such examples have been identified I did not find that the relationship of those properties was as obvious as that which would be evident here. The circumstances of those differed to that before me primarily in so far as the degree to which the relationship between the host property and later insertion would be so apparent within the street scene and therefore the character of the area.
12. For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the area, including the Pilgrims Way and Beech Road Residential Area of Special Character. Consequently it would conflict with policies Ho9, Ho13 and Ho15 of the Reigate and Banstead Borough Local Plan (2005). Collectively these seek to ensure that development is of a high quality and reflects the local distinctiveness and character of an area, including plot sizes.

Living conditions

13. The proposed development would result in a tandem arrangement for the existing and proposed properties with a separation distance in the region of 18m between the proposed house and the existing, at ground floor level.
14. The Officer report makes it clear that there is no concern regarding the impact on the living conditions of the adjoining properties to the north or south and given the layout of the proposed property and the fenestration I see no reason to disagree with these conclusions. Furthermore, the Council note that the proposed dwelling would be in residential use and would not cause a detrimental impact by way of noise or disturbance, again I see no reason to disagree with these conclusions given the likely limited numbers of comings and goings associated with one house and the separation to surrounding properties.
15. The Council have however highlighted the separation between the proposed and existing property as being 'unneighbourly and oppressive'. There is little further explanation or commentary around this other than to relate it to the general characteristics of the surrounding RASC.
16. The rear elevation of the proposed property would have a reduced eaves level and would have openings limited in size, scale and location. The intervening brick wall would screen any views between windows and therefore address any concerns regarding overlooking and privacy. I am also satisfied that the overall height of the proposed property and its smaller scale would not result in a significant loss of day light or sunlight into the remaining existing property such that there would not be an overwhelming sense of oppression. The outlook from the original property would be changed but there would remain a reasonable area directly to the front of the property such that the amenities presently enjoyed by the occupants of that property would not be so curtailed as to be unacceptable. Whilst the private amenity space for the existing

property would remain to the front of it, the small and modest scale of the proposed property would not dominate this space which would retain a relatively open aspect. The siting of the proposed property to the west of the existing property would also reduce any potential impacts.

17. In the context of future residents of the proposed development the relationship with the existing property would only affect the rear of the proposed property. This has limited openings and limited amenity space towards the rear and, given the orientation, there would be no significant effect. The private amenity space to the side and front of the appeal property could be adequately laid out and made sufficiently private for reasonable domestic use and in this regard there would be no significant harm resulting from the relationship between the properties.
18. For the reasons given above I conclude that the proposed development would not result in material harm to the living conditions of the occupants of 12 Beech Road and would provide reasonable living conditions for the future occupants of the proposed dwelling, with particular regard to outlook. It would therefore not conflict with policies Ho9, Ho13 and Ho15 of the LP which, amongst other matters, seek to protect the amenities of existing and future occupiers.

Other matters

19. The area has extensive mature landscaping and I am satisfied that additional landscaping would not overcome my concerns in terms of the impact on the character and appearance of the area.
20. Whilst there is a benefit from the provision of one additional housing unit the modest contribution this would make to boosting housing supply in the area would be limited.
21. I am aware of an appeal decision², for a development of a similar description on the same site that has recently been issued, on the 24th January 2017. The conclusions reached in my decision are consistent with those reached by the Inspector in relation to that appeal.

Overall conclusions

22. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR

² APP/L3265/W/16/3155661