
Appeal Decision

Site visit made on 7 February 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 02 March 2017

Appeal Ref: APP/L3625/W/16/3163277

Abacus, The Glade, Kingswood KT20 6LH

- 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 & Mrs Gustafson, c/o Ivory Homes Investment Ltd, against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/01962/F, dated 22 August 2016, was refused by notice dated 4 November 2016.
 - The development proposed is modification to permission APP/L3625/W/16/3143481 to provide three houses with associated facilities.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character of the area.

Reasons

3. The site is presently occupied by a large, detached house set in a plot of substantial size. It reflects the pattern of development in the street which contributes to the spacious, low density and Arcadian character of the area which is designated as a Residential Area of Special Character. This section of The Glade is characterised by the idiosyncratic approach to the individual design of each of the houses which maintain broadly common plot ratios, footprints, and site coverage. The frontages of the houses are generally given over to lawn and shrubs or trees, often retaining an open aspect towards the street.
 4. Planning permission has been granted for a replacement house in single occupancy, similar to this proposal. The Council objects to the sub-division of the house into three dwellings in terms of smaller plot sizes, increased activity and movement, and additional parking in the front garden.
 5. In the context of the pattern of development in this part of The Glade, the development of a terrace of houses would be at odds with the prevailing house typology which is characterised by wide, detached houses on large plots. The subdivision would result in a character of development with houses of substantially smaller footprints but an apparently higher plot ratio and density of development than those which characterise the area. This anomaly would
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- undermine the distinctive and cohesive character of the Residential Area of Special Character (RASC).
6. I appreciate that the terrace has been designed to appear as a single house, but in practical terms, and under three separate occupations, I consider the use would reveal the atypical subdivision in several ways including lighting, activity, and movement.
 7. I note that only the middle house of the terrace would have a front door on the front elevation, with the end houses having flank entry. While this may reduce the legibility of the subdivision, flank entry is more common in semi-detached houses in suburban situations, whereas the houses in the Arcadian setting of The Glade tend to have their entrances in the front elevation, celebrating entry rather than concealing it. This compounds the incompatibility of the proposed typology with the character of its surroundings.
 8. While car parking in front of houses in The Glade is not unusual, it tends to be informal and limited, with many houses having garages. I note the landscaping proposals which include hedging in the front garden which may partially screen the development, but notwithstanding this, the importance of the RASC is not confined to public views.
 9. Moreover, the quantity and formality of parking spaces marked-out in this proposal, to be used under separate occupations, would suggest an over-intensified and formal arrangement on the plot which would be at odds with the character of the surrounding front gardens. While not sufficient reason on its own to dismiss the appeal, it nevertheless adds to my concerns identified above about the effect of the subdivision on the character of the area.
 10. The Council is concerned that there would be pressure from future occupiers to divide the back garden into individual areas for each house. The physical subdivision of the back garden would, in this distinctive context, exacerbate the incompatibility of the terrace with the character of its surroundings where the back gardens of plots are generally not subdivided. The appellant proposes restrictive covenants and an undertaking to protect the back garden from subdivision to address the Council's concern in this regard. However, such devices illustrate that there would be significant, and not unreasonable, pressure for each of the houses to have a substantial area of private outdoor space, which would very likely be demarcated by a fence or other enclosure.
 11. With due regard to consistency in decision-making, I am referred to an appeal decision¹ at Kingsworthy House, at the corner where The Glade meets Forest Drive. The appeal concerned the construction of a detached house and a block of seven flats in which the Inspector considered that the level of activity and vehicle movements associated with the flat block would be insufficient to have any significant effect on the character of the area.
 12. However, he referred in his reasoning to the context of surrounding dwellings which included other flats as well as the retention of significant space between the flat block and its side boundaries. The houses surrounding the block in that case were of varying scale and orientation to the street, and the block was sited on a plot towards a corner of two streets from which it was set

¹ Appeal Ref: APP/L3625/A/12/2185895

substantially back, being screened by mature trees and hedges, and it was set at a distinctly lower ground level than the street.

13. The more concealed nature of Kingsworthy House gives it a character of isolation from neighbouring development whereas the building in this case, which is more open towards the street frontage, and is one plot in the middle of a continuous row of similar plots on both sides of the street, is more directly and conspicuously related to its neighbours. My impression of the area surrounding this site is that it contains detached houses rather than flats or terraces.
14. Moreover, the gaps in this proposal between the flanks of the building and the side boundaries of the plot would be substantially less than at Kingsworthy House, which would make the effect of development more noticeable. Kingsworthy House also includes an underground car-park whereas the parking for this proposal would be in front of the building. The contexts of the two cases are quite different and the parallels between them are so limited that they do not direct me to conclude other than that having regard to its location in the RASC, the proposed development would harm the character of the area.
15. While I see less relevance to saved Policy Ho16 of the Local Plan 2005 (LP) to which the Council refers and which concerns frontage plots and extensions, it would conflict with LP saved Policies Ho9, Ho13 and Ho15 as well as Policy CS4 of the Core Strategy 2014. These seek development which takes direction from the existing character of the area, which reinforces local distinctiveness, and which in Residential Areas of Special Character permit redevelopment only where it is compatible with the existing character of the area and does not result in plot sizes significantly smaller than those prevailing within the surrounding area.
16. It would be at odds too with the Framework² which says that decisions should aim to ensure that developments respond to local character and reinforce local distinctiveness. It would also be contrary to advice in the Planning Practice Guidance³ which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

Other Matters

17. Whilst I have considered concerns from neighbours and the Kingswood Residents' Association including in relation to road safety, these do not add to my reasons for dismissing the appeal.

Conclusion

18. Whilst the proposed development would provide a benefit of two additional houses to local housing supply, this is outweighed by the unacceptable harm it would cause to the character of the area, which is in clear conflict with the policies of the development plan. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

² National Planning Policy Framework, paragraphs 58 and 60

³ Planning Practice Guidance, DCLG 2014 as amended, paragraph:007, ID 26-007-20140306

INSPECTOR