The Planning Inspectorate

# Appeal Decision

Site visit made on 10 April 2017

**by Nicola Davies BA DipTP MRTPI**

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

**Decision date: 27 April 2017**

**Appeal Ref: APP/L3625/W/17/3168024**
**Land at 343-353 Reigate Road, Epsom Downs KT17 3LT**

- 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 Denton Homes Ltd against the decision of Reigate & Banstead Borough Council.
- The application Ref 16/02506/F, dated 5 October 2016, was refused by notice dated 10 January 2017.
- The development proposed is the erection of 9 dwellings.

## Decision

1. The appeal is dismissed.

## Main Issue

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

## Reasons

3. The Council has acknowledged that there have been a number of examples of infill development along Reigate Road and within the wider area that have changed the appearance of the streetscene of Reigate Road and the character of the wider locality. For this reason, the Council does not raise an objection to the principle of the proposed redevelopment of the site. I observed that more recent infill development has occurred on Reigate Road. This includes Juniper Place and Warren Farm Close that are close to the appeal site, and recently Hornbeam Close further along Reigate Road to the south of Juniper Place.

4. The proposal would require the demolition of No 351 Reigate Road to provide an access road to serve nine proposed dwellings to the rear of the Nos 343-353 Reigate Road.

5. My attention has been drawn to the Council's Local Distinctiveness Design Guide 2004 that characterises the area as consisting mainly of 1930s and 1950s suburban housing development and notes that infill development has occurred within the area. Guidance is provided relating to proposals for infill within these areas.

6. The predominant character of the pattern of development is linear with houses facing towards Reigate Road. Nos 343-353 Reigate Road have long rear gardens with trees and shrubs that can be seen through gaps between houses

due to the sloping nature of the land up towards the rear of the gardens. The relatively recent development at Juniper Place has a linear street layout and is at right angles to Reigate Road. That street layout is dominated by the road, pavements and parking with little landscaping within its streetscape giving it a more urban appearance.

7. I acknowledge that the number of dwellings proposed at the appeal site has been reduced to nine, one less than the previous scheme and that the roof of Plot 1 would incorporate a catslide to the boundary. Despite the rear garden of No 355 Reigate Road separating Plot 1 from the development in Juniper Place, the development would be located very close to the existing development of Juniper Place. The land is at its highest point toward the Juniper Place end of the appeal site. The houses would be seen through the gaps between the houses on Reigate Road and the gap within existing development in Juniper Place. Furthermore, the access road to the proposed scheme would be in close proximity to Juniper Place and would further contribute to the urbanising impact of the proposed development.

8. The previous Inspector concluded that the inadequate separation between the layout of the proposed development and Juniper Place would result in an urban form of development similar in appearance to a small estate rather than discreet individual development. Whilst some changes have been made to the scheme before me, the siting of the access road remains the same and the separation of the proposed development to Juniper Place is very similar. I conclude this proposal would significantly compromise the spacious character of the area. I acknowledge the pervious Inspector reached a similar conclusion.

9. The developments at Hornbeam Close and Juniper Place are on land rising away from Reigate Road. Hornbeam Close, although similar in that it comprises two-storey dwellings, is located further away from Juniper Place with the access road some distance away. The relationship with Juniper Place is therefore different to that being considered here.

10. The density of the proposed scheme would be less than that of Juniper Place and Hornbeam Close. I accept that the amenity space and layout is acceptable and would not be dominated by car parking. An appropriate landscape strategy could also be put in place. I also accept that the scale and design, as well as the spacing between buildings would be similar to properties within the surrounding area and would not appear cramped and have appropriate separation alongside the access road. However, none of these matters would overcome those issues raised above or justify the proposal.

11. I have also been provided with a map showing infill development within the Nork area and appeal decisions relating to a number of these sites. I recognise that infill development has been accepted within the reasonably wide area presented upon the map. However, despite these exceptions there is an overall pattern of separation of developments in the area. I have been provided with some appeal decisions that I accept have some issues that are similar to the proposed development before me, including that of Stanton Lodge and Shelvers Way, Tadworth (appeal ref: APP/L3625/W/16/3150102) and Epsom Lane North, Epsom Downs (appeal ref: APP/L3625/W/16/3156890). However, the appeal before me relates to a different site and therefore can and should be considered in its own right.

12. For the reasons given above, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposed development would be contrary to Policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Local Plan 2005 which seek new development to reinforce local distinctiveness, maintain the character and the general pattern of the area. The proposed development would also be contrary to the aims of paragraphs 17 and 58 of the National Planning Policy Framework (the Framework) that seek to secure high quality design and for developments to establish a strong sense of place.

13. With regard to paragraphs 214 and 215 of the Framework, the policies of the Local Plan pre-dates the Framework but relevant policies of existing plans should be given due weight according to their degree of consistency with the Framework. I consider the Local Plan polices to be consistent with the Framework and I therefore give the Local Plan policies listed above significant weight.

**Other Matters**

14. The Framework requires decisions to be made with regard to the presumption in favour of sustainable development (paragraph 49) setting an objective to boost the supply of housing (paragraph 47). Paragraph 14 of the Framework states that permission should be granted unless, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Accordingly I have considered whether the appeal proposal would be consistent with the social, economic and environmental dimensions of sustainable development, as set out in paragraph 7 of the Framework. Paragraph 8 of the Framework specifies that these three elements of sustainable development need to be considered together and are mutually dependant and should be sought jointly.

15. The proposal would provide construction jobs and would not harm the living conditions of adjoining occupiers. It would also retain existing trees at the site that are worthy of retention. The proposed dwellings would create high quality adaptable energy efficient homes. I accept that the proposed development would be located in a sustainable and popular urban location close to public transport links, which include Epsom Downs Railway Station and bus routes along Reigate Road, as well as services at the Drift Bridge Local Shopping Centre. I attach moderate weight to these economic and social benefits.

16. However, I have found that the proposed development would harm the character and appearance of the area, placing it in conflict with the environmental dimension of paragraph 7. Whilst the principle of residential development may be acceptable, the positive housing supply benefits do not outweigh the environmental harm that I have identified above, even if the appeal site is considered a preferable location to developing in the Green Belt or an Urban Expansion site. Furthermore, having considered all of the policies drawn to my attention the visual harm arising from the development leads me to conclude that there is conflict with the development plan as a whole and I find the scheme is not sustainable development.

17. A number of nearby residents raise a series of other concerns about the proposal but in view of my conclusions on the main issue there is no need for me to address these in the current decision.

**Conclusions**

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

*Nicola Davies*

INSPECTOR