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# Appeal Decision

Site visit made on 4 April 2017

**by Alex Hutson MATP CMLI MARborA**

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

**Decision date: 4 May 2017**

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**Appeal Ref: APP/L3625/W/17/3166739**  
**50 Parkhurst Road, Horley RH6 8HB**

- 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 B Harcombe – Alphaset Digital Ltd against the decision of Reigate & Banstead Borough Council.
  - The application Ref 16/02468/F, dated 21 October 2016, was refused by notice dated 3 January 2017.
  - The development proposed is demolition of the block of 3 garages and erection of a two bedroom bungalow with associated parking and landscaping.
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## Decision

1. The appeal is allowed and planning permission is granted for demolition of the block of 3 garages and erection of a two bedroom bungalow with associated parking and landscaping at 50 Parkhurst Road, Horley RH6 8HB in accordance with the terms of the application, Ref 16/02468/F, dated 21 October 2016, subject to the schedule of conditions attached.

## Preliminary matter

2. The Council indicates, at the time of writing, that there is a pending planning application<sup>1</sup> in respect of 50 Parkhurst Road. I observed that some works to this property were being undertaken at the time of my site visit though it is unclear whether these works relate to any recent planning consent. For the avoidance of doubt, I have determined the appeal on the basis of the submitted plans. However, the outcome of that planning application and any subsequent development is unlikely to have any bearing on my consideration of this appeal.

## Main issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

4. The appeal site comprises a detached single storey dwelling, No 50, its associated rear garden and a block of 3 garages to the rear of this property within a wider area of hard standing. The garages are accessed from Parkhurst Road via an access way which runs alongside No 50. The surrounding area is

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<sup>1</sup> Council Ref 16/02467/F

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predominantly residential in character and displays dwellings of a variety of sizes and architectural styles. The submitted Location Plan indicates that there are a variety of residential plot sizes and shapes in the surrounding area. It also indicates, and I observed, that dwellings tend to be tightly spaced within their plots.

5. The proposal would demolish the block of garages and would introduce a single storey dwelling with a hipped roof onto this part of the appeal site. I acknowledge that it would occupy a larger footprint than the existing block of garages. I also acknowledge the Council's concerns that the proposed dwelling would be tight to all boundaries. In addition, I accept that there is little opportunity for landscaping along the access way and within the proposed parking areas.
6. Nevertheless, the proposed dwelling would sit slightly further away from the north-eastern boundary of the appeal site than the existing block of garages and would reduce the amount of built form along this boundary given its orientation. It would also be set back by a generous degree from the south-eastern boundary to provide an area of lawn for private amenity purposes. Moreover, the degree of setback from the southwestern and north-western boundaries would allow for the parking and turning of a vehicle and therefore could not reasonably be said to be tight to these boundaries. Furthermore, the proposed level of side spacing would broadly reflect the side spacing of other dwellings in the area, including that of No 50.
7. Whilst there is little opportunity for landscaping along the access way and within the proposed parking areas, these areas are already given over to hard standing. In addition, the access way has been part of the streetscene for a number of years. As such, simply because it would lead to a dwelling rather than a block of garages, this would not result in the contrived appearance of this access way and the effect on the character and appearance of the streetscene in this regard would be neutral. In addition, the proposal would introduce some soft landscaping onto the appeal site which would be an improvement over the current situation.
8. I therefore conclude that the proposed dwelling would not appear as a cramped form of development and would not result in harm to the character and appearance of the streetscene and surrounding area.
9. It would therefore comply with saved Policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Borough Local Plan 2005. These policies require, amongst other things, development to maintain and enhance the built environment, to promote or reinforce local distinctiveness, to maintain and respect the character of the surrounding area, to conform to the pattern of development in the surrounding area, to reflect plot sizes and spaces between buildings, to provide additional planting and not to create an undue disruption to the character and appearance of an existing road frontage by way of any access road.
10. It would also comply with the guidance of the Reigate and Banstead Local Distinctiveness Design Guide 2004, which advises, amongst other things, that new development should respond to and enhance local distinctiveness.

### *Other matters*

11. I have had regard to the concerns of a number of interested parties including in respect of property devaluation, noise and disturbance and inconvenience during construction, privacy, outlook, overshadowing and parking pressure. However, property devaluation is not a material planning consideration to which I afford any significant weight.
12. With regard to the other matters, these were not raised as a concern by the Council. In addition, any noise and disturbance and inconvenience during construction would be temporary and is not a sufficient reason to withhold a planning permission. Given the single storey height of the proposed dwelling and that its hipped roof would slope away from the boundaries, I am satisfied that there would be no harmful overshadowing or harmful loss of outlook or privacy to the occupiers of neighbouring properties. Moreover, I have imposed a planning condition that would restrict any future roof extensions. I am also satisfied that adequate on-site parking would be provided and note that the County Highway Authority considered the proposal acceptable in this regard. As such, these matters do not weigh against the proposal.

### **Conditions**

13. I have had regard to the planning conditions suggested by the Council. I have amended some of these for clarity and conciseness. In addition to the statutory time limit condition, a condition specifying the relevant drawings is necessary as this provides certainty. Those conditions relating to materials, landscaping, ground levels and boundary treatment are necessary in the interests of character and appearance. Those conditions relating to parking and construction management are necessary in the interests of highway safety. I also agree that a condition to remove certain permitted development rights is necessary in the interests of neighbour living conditions.

### **Conclusion**

14. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

*Alex Hutson*

INSPECTOR

## SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; GWD/2016/2.G Drawing No 1 (Drawing Title: Existing plan and elevations); GWD/2016/2.G Drawing No 1 (Drawing Title: Existing elevations); GWD/2016/2.G Drawing No 20 Rev F; GWD/2016/2.G Drawing No 21 Rev F; GWD/2016/2.G Drawing No 22 Rev F; and GWD/2016/2.G Drawing No 23 Rev F (insofar as it relates to the proposed dwelling the subject of this appeal).
- 3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including fenestration and roof materials, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
- 4) No development shall commence until details of existing and proposed ground levels and the proposed finished ground floor levels of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall commence until details of all hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants (including species, sizes and numbers) and a management programme.

All hard and soft landscaping work shall be carried out in accordance with the approved details, within the first planting season (November-March) following the occupation or completion of the development hereby permitted, whichever is the sooner, and shall be retained and maintained thereafter.

Any trees, shrubs or plants planted in accordance with this condition which are removed, die or become damaged or diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or plants of the same size and species.
- 6) Prior to the occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed prior to the occupation of the development hereby permitted and in accordance with the approved details.
- 7) The parking and turning spaces, as shown on the approved plans, shall be provided prior to the occupation of the development hereby permitted and shall be retained and maintained for such purposes thereafter.
- 8) No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials; and
- (d) vehicle routing,

has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Construction Transport Management Plan.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions permitted by Classes A, B, and C of Part 1 of the Second Schedule of the 2015 Order shall be constructed.