
Appeal Decision

Site visit made on 26 June 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 4 July 2017

Appeal Ref: APP/L3625/W/17/3170478

Land to the rear of 56-60 Epsom Lane North, Epsom Downs KT18 5PY

- 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 Lee Clemson against the decision of Reigate & Banstead Borough Council.
 - The application Ref 16/02347/F, dated 7 October 2016, was refused by notice dated 1 February 2017.
 - The development proposed is the demolition of 60 Epsom Lane North and the erection of 6 semi-detached properties to the rear of 56-60 Epsom Lane North together with the erection of a new dwelling in replacement of no. 60, access and parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - The effect of the proposed development on the character and appearance of the surrounding area, and
 - Whether the proposal would provide reasonable living conditions for the future residents of Plot 7, with particular regard to noise and disturbance.

Reasons

Character and Appearance

3. Epsom Lane North runs roughly from north to south and is largely characterised by linear development of fairly large detached dwellings on the east side of the road, overlooking fields to the west and the Epsom downs beyond. Most properties have long back gardens backing onto the railway line which runs roughly parallel to the Lane, and plot spacing is fairly generous.
4. Towards the southern end of the road a number of residential cul-de-sacs have been constructed to take advantage of the length of such back gardens. Towards the northern end there are less such examples; however, they are still present in the form of Oaks Way and a further scheme to the north of the site which was recently permitted on appeal but was not yet being built at the time of my visit.
5. The proposal seeks to demolish No 60 Epsom Lane North, constructing a narrower property in its place (Plot 7) and utilising the plot width to build an

access road to allow 3 pairs of 2 semi-detached dwellings in the part rear gardens of Nos 60, 58 and 56 Epsom Lane North.

6. The proposed Plot 7 would be designed to appear similarly detailed to the semi-detached dwellings, with double height gabled bay windows and pitched roof porches to front. The house would have a hipped roof and be sited with roughly similar front and back building lines to the adjacent properties, yet without the width of these houses, due to the adjacent access road. This would appear out of place within the street scene which, whilst it has a variety of housing styles, is characterised by wider plots and properties.
7. Inside the proposal, the access road would turn to the south and run in front of the proposed Plots 1-6. 2 parking spaces would be sited in front of the houses, providing a total of 12 such spaces. This, along with the access road filling almost the entire width of the proposal would lead to a car dominated layout, with the front of the properties dominated by hard surfacing and few spaces between for landscaping to successfully soften the appearance of the scheme. Such a view would also be possible from Epsom Lane North, where much of the view down the access road would terminate with Plot 2 and the parking spaces in front of this dwelling.
8. Due to the scale and positioning of the proposed homes, gaps between the pairs of dwellings would also appear fairly narrow and out of character with the surrounds. When considered cumulatively, all these factors would lead to a proposal that would appear quite cramped and dominated by hard surfacing, out of kilter with the character of the surrounding area. This would be different to the recent appeal approval for 86-90 Epsom Lane North, whose layout provides more space for landscaping, not only around the access road which would effectively take up the whole plot of No 88, but also in terms of its siting of dwellings in two cul-de-sacs and the subsequent additional space provided between the dwellings when taken overall. The proposal in this case presents a far more regimented scheme of development, presenting a strong second line of development behind the main line of development fronting the road.
9. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the surrounding area. The proposal would be contrary to policies Ho9, Ho13, and Ho16 of the Local Plan¹, which when taken together state that the scale of all residential development should not be detrimental to the character of the surrounding area, proposals should conform to the surrounding pattern of development, and that frontage plots should consider the type, design and size of dwelling in relation to plot size and relationship with existing dwellings. Policy Ho14 is also referenced in the decision notice but I was not provided with a copy of this policy. The proposal would also be contrary to the National Planning Policy Framework, which states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Living Conditions

10. The proposed layout plan shows a hardsurfaced area on the southern side of Plot 7, with a path to the rear of the property separating the building from a 1.8m high close boarded fence along the side of the proposed access road. A

¹ Reigate and Banstead Local Plan 2005

transport statement estimates that 28 daily trips will be generated from the proposal along the access road. Traffic moving along the road would be relatively slow moving, either approaching the houses at the top of the street or the junction with Epsom Lane North.

11. Whilst the proximity of the fence line to the access road is not ideal, given the likely number of trips along the road and the speed of travel taking place, I do not consider that such a relationship would create adverse living conditions for the future residents of Plot 7. Accordingly I conclude that the proposal would provide reasonable living conditions for the future residents of Plot 7, with particular regard to noise and disturbance. In this respect the proposal would comply with policies Ho9, Ho13 and Ho16 of the Local Plan which state that development should not unreasonably affect the amenities of adjoining properties, and create a satisfactory environment for the residents of the proposed development.

Other Matters

12. The application that forms the basis for this appeal was also refused on the grounds of highway safety. Epsom Lane North is fairly straight in both directions from the proposed access point, but there are a number of undulations in the road. Plans have been submitted which demonstrate that visibility splays can be achieved of 2.4m by 90m, and the County Highways Officer has no objections to the proposal, subject to the imposition of various conditions. This reason for refusal is therefore no longer being pursued by the Council. Based on the submitted plans and my site visit I agree with both parties that the proposed development would not create a highway safety risk.
13. The scheme would provide 7 family homes, generating economic and social benefits both through their construction, and by the activities of the future residents of the properties. However, such matters do not outweigh the adverse effect of the proposal on the character and appearance of the area, and as such the proposal would not constitute sustainable development.

Conclusion

14. Although I have concluded that the proposal would not have an adverse effect on highway safety and would provide reasonable living conditions for the future residents of Plot 7, this does not alter my overall finding that the proposed development would have a significant adverse effect on the character and appearance of the surrounding area.
15. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR