



Appeal Decision

Site visit made on 19 June 2019

by Sarah Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/L3625/W/19/3221982

8 High Street, Tadworth KT20 5SD

- 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 A Grover against the decision of Reigate & Banstead Borough Council.
 - The application Ref 18/01378/F, dated 22 June 2018, was refused by notice dated 12 October 2018.
 - The development proposed is erection of a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and whether the proposed development would provide acceptable living conditions for the development's future occupiers.

Reasons

Character and appearance

3. The appeal site lies in an area of moderate density housing within a large suburban village. The prevailing character is attractive sizeable period dwellings that are two-storeys in height set against a verdant backdrop. The houses are predominantly detached or semi-detached within generous plots with long private gardens to the rear. They are set back from the road in a consistent manner with frontages, which are enclosed by vegetation, walls and fences, given over to gardens or parking.
4. Opposite is a row of terraced business premises, which appear to have living accommodation above. To the north side of the site is a railway line which is set down from road level in a deep cutting. The area between the site and railway is well landscaped with trees that provide a wide boundary screen. To the front, the appeal site is partially screened from the road with tall hedge-like boundary trees and a high fence. A smaller section of frontage is open and would provide a shared point of vehicular access with the donor dwelling, 8 High Street (No 8).
5. The proposal seeks to sub-divide the garden area belonging to No 8 to provide space for a two-storey detached dwelling. The appeal site is triangular in shape, due to its position on the curve of the High Street, and the land consists

- of the side and front garden of the donor dwelling. The layout plan shows a staggered dwelling the rear section of which, along with its private open space, sit within a restricted and narrow area where the site tapers towards its rear boundary. This section abuts the entire length of the two-storey side elevation belonging to No 8.
6. The section of the appeal dwelling at the front projects some distance beyond the frontages of No 8 and its neighbours. Beyond the front elevation of the proposed dwelling would be garden area that would act as its main private outdoor space. This area is long and tapered with good landscaping and screening. There would also be a shared drive and access with on-site parking between the dwelling and front garden.
 7. Reigate and Banstead Borough Local Plan 2005 (the RBLP) Policy Ho9 (Design and Layout), seeks to promote or reinforce local distinctiveness within the built environment by steering away from contrasting developments which detract from the pattern of development. It seeks to maintain high standards of design of a scale that does not detract from the overall character of the area. The proposed dwelling would be positioned at the end of the row of sizeable houses in generous plots. The appeal site is limited in size and compounded by its irregular shape, the contrast would be stark when comparing it to the existing dwellings in the immediate locality, which are set back within their respective curtilages. The proposal is uncharacteristic of the area. Additionally, the extent to which the house would be set forward of the building line, challenges the prevailing pattern of development and diminishes local distinctiveness.
 8. Policy Ho13 (Maintenance of Character and Amenity) of the RBLP states that maintenance of the character of the area is of particular relevance for infill development with particular reference to conforming to the pattern of development and highlighting that infill of increasing densities can irrevocably change the character of many areas often resulting in town cramming. The addition of the appeal building would be materially detrimental to the character and pattern of development in the area by reason of its scale alongside its neighbours and its siting within the limited sized narrow plot.
 9. The Council has referred to Policy Ho16 (Frontage Plots and Extension) of the RBLP. The supplementary text indicates that principle objectives will be to ensure that such proposals do not result in a cramped form of development. For the reasons set out above the proposal would not comply with this policy.
 10. For these reasons, I conclude that the development would cause unacceptable harm to the character and appearance of the area. It would conflict with Policies Ho9, Ho13 and Ho16 of the RBLP which, among other things, state that harm should not be caused to local distinctiveness or the pattern of development.

Living Conditions

11. Policy Ho9 of the RBLP highlights the importance of an acceptable environment for both existing and future households with new development. Layout and design should not seriously affect the living conditions of occupants of adjoining properties in terms of outlook, privacy and adequacy of garden space.
12. The appeal dwelling would be positioned close to the fence dividing the site from land which, according to the Council, is in the ownership of Network Rail.

This land is heavily landscaped with mature trees and although they provide an attractive back drop, are likely to overshadow the appeal site. Additionally, the neighbouring property to the other side would have a harmful effect on the future occupiers regarding overshadowing and outlook due to its proximity. The two-storey flank wall of the neighbouring property would extend beyond the rear elevation of the appeal dwelling and the full length of its rear garden and would overshadow the proposed dwelling's rear and its back garden area. This would be dominant and overbearing upon the outlook from the proposed house and garden and would cause significant harm to the living conditions of its future occupiers.

13. Although it is accepted that there is generous private outdoor space to the front of the house, this does not alleviate the fact that the rear of the proposed new dwelling would be significantly compromised as detailed above. The proposal is contrary to Policy Ho9 of the RBLP which, among other things, advises that new development should not seriously affect the amenities of adjoining properties with regard to living conditions.
14. I have found harm would result on both main issues which is compelling and for the reasons outline above, I conclude that the appeal should be dismissed.

Sarah Hanson

INSPECTOR