



Appeal Decision

Site visit made on 2 July 2019 by S Witherley BA, PGDiP, PGDiP, Cert CIH, Assoc RTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/L3625/W/19/3226217

Land adjacent to 41 Rookery Way, Lower Kingswood, Tadworth, KT20 7DT

- 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 Malcolm Carvill against the decision of Reigate & Banstead Borough Council.
 - The application Ref 18/01389/F, dated 21 June 2018, was refused by notice dated 9 October 2018.
 - The development proposed is described on the application form as follows: *Proposed 1-bedroom single storey development on the land adjacent to 41 Rookery Way, following the demolition and removal of the existing outbuildings. The proposed dwelling is designed within the minimum requirements of the "Department for Communities & Local Government – Technical Housing Standards – Nationally described space standards, being 4.49 m by 13.49 m (not including bay window) external dimensions.*
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal site forms part of the garden of no. 41 Rookery Way and is currently covered by outbuildings and hardstanding. The donor property is an end of terrace located mid-way in the street. Within the surrounding area there is a mix of house types and styles including blocks of terraced properties. Despite the range in house sizes, there is uniformity within the streetscape as a result of the buildings being built on a distinct building line and with a palette of materials. Space around and about buildings emphasise the area's open aspect.
5. A previous application was submitted on the site which sought to erect a one-bedroom bungalow. This proposal was refused and later dismissed on appeal¹. The 2012 Inspector found the proposal to be harmful to the character and appearance of the area as a result of its size, height, style, layout and plot size. Whilst the findings of the previous Inspector are material and there is a need for consistency in the planning

¹ Appeal Ref: APP/L3625/A/12/2177160

process, I am not bound to reach the same conclusions provided there are sound planning reasons for departing from her approach.

6. The appeal dwelling would be built along the building line and it would have a steep dual pitched roof with the gable end fronting the highway. Upon this elevation there would be a bay window. The property would be built close to the boundary to the north. The scheme would incorporate several design features and similar materials to match the donor property would be used. Nonetheless, the subdivision of the existing plot would result in a narrow residential property with a rear garden that would be smaller in comparison to other dwellings. To the front, the property would share the existing access and parking area, but the resultant development would appear overly cramped and squeezed. It would result in a significantly tighter arrangement that would look at odds with the surrounding properties. It would have the appearance of an ancillary building associated with the donor property rather than as a separate detached dwelling.
7. The removal of the ancillary sheds and outbuildings to enable the development would be a more efficient use of the area. Additionally, the argument is that the property would be designed sympathetically and meet current housing standards. Nevertheless, the development would appear out-of-keeping with the settlement pattern, due to the plot's layout. The proposal would erode the spaciousness between the donor property and the neighbour to the north with the loss being visually detrimental to the appearance and general layout of the site and streetscape. The proposal would not promote or reinforce local distinctiveness and it would be not meet with the aims and objectives of the Local Distinctiveness Design Guide 2004.
8. The argument is that the property would provide accommodation to younger relatives to remain in the area. The reasons for why the appellants require the dwelling have been noted. However, little weight can be attached to the circumstances presented because, in this location, a separate dwelling would visually harm the street scene. The appellant refers to other developments in the locality. These do not represent a direct parallel with the proposal, and, in any event, every application is considered on its own merits.
9. Drawing all the above points together, I find that the proposed development would have a significant adverse visual effect on the character and appearance of the area. Accordingly, the scheme would conflict with Policies CS1 and CS4 of the Core Strategy 2014, and Policies Ho 9, Ho 13, Ho 14, Ho 16, and Mo 7 of the Local Plan 2005. Policy Ho 18 relates to conversion of a dwelling to two or more dwellings and is irrelevant. Nonetheless, the scheme would also conflict with design objectives found in the National Planning Policy Framework.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, including the comments of third parties, it is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghaffoor

INSPECTOR