



Appeal Decision

Site visit made on 29 January 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th July 2019

Appeal Ref: APP/L3625/W/18/3211707

11 Downland Gardens, Epsom Downs, KT18 5SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Ben & Tabitha Winter against Reigate and Banstead Borough Council.
 - The application Ref 18/00245/F, is dated 31st January 2018.
 - The development proposed is the erection of a 4 bedroom chalet style bungalow with attached garage.
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Decision

1. The appeal is dismissed and planning permission for a 4 bedroom chalet style bungalow with attached garage is refused.

Procedural matter

2. The application was amended whilst under consideration by the Council. I have taken the amended plans into account in my decision.

Main Issues

3. The main issues are the effect of the proposal on:
 - (a) The character and appearance of the area; and,
 - (b) The living conditions of the residents of 10 and 11 Downland Gardens, with specific regard to noise and disturbance.

Reasons

Character and appearance

4. The site is located on Downland Gardens, a residential cul-de-sac in a suburban area. The architectural style of dwellings in the area is varied, although in Downland Gardens all the dwellings have a traditional form and comprise substantial semi-detached or terraced blocks with generous gaps between. Combined with the extensive grass verges along the cul-de-sac, this creates a spacious and open character. The topography of Downland Gardens has a steep rise up towards the site, which is located at the end of the cul-de-sac.
5. The site is situated between the host dwelling at 11 Downland Gardens and the adjacent property, 10 Downland Gardens. The siting of the proposed dwelling

in this space would create an uncharacteristically small gap between the existing dwellings and proposed dwelling. Within the site, the proposal would be sited behind the rear elevation of the host dwelling. Whilst described as a chalet-type bungalow, the dwelling would be of a substantial scale, with a large two-storey hipped gable on the front elevation. As a result of the siting of the existing buildings and the siting, scale and massing of the proposed building, the scheme would create a contrived, cramped and overdeveloped appearance, which is not in keeping with its open and spacious character.

6. The cramped appearance of the site is exacerbated by the rising ground level which would result in the dwelling sitting at a higher level than the surrounding buildings, increasing its visibility and appearance in the plot when viewed from the street. The retained large trees to the boundary of the site would further contribute to the cramped appearance. Additionally, the access and parking area for the dwelling would be sited behind the rear elevation of the host dwelling. This would be very close to the private rear garden, house and conservatory of No 11, leading to a contrived and incongruous layout.
7. Moreover, whilst the style and design of dwellings in Downland Gardens is varied; they nonetheless have a traditional semi-detached or detached form and the proposed chalet style bungalow would be at odds with this character.
8. For these reasons, the proposal would not have a high standard of design and layout, failing to take account of the physical characteristics of the site. This would detract from the overall character of the area, contrary to policies Ho9, Ho13, and Ho14 of the Borough Local Plan 2005. These policies seek, amongst other things, to maintain and enhance the character of the area and built environment.

Living Conditions

9. Owing to the proximity between the No 11 and proposed dwelling for the parking and access area; the arrival of vehicles, the opening and closing of vehicle doors and other outdoor activity at the front of the proposal would create noise and disturbance close to the private areas of the No 11. This would be exacerbated by the contrived and tight space for manoeuvring.
10. The parking area would be situated at a lower ground level than No 10, alongside the side elevation and situated behind a substantial retaining wall. For these reasons, the driveway arrangement would not have the same detrimental impact on the occupiers of No 10.
11. Therefore, although the proposal is for a single dwelling, the location of the parking and access area would have a detrimental impact on the living conditions of the residents of the Nos 10 and 11. This would be contrary to policies Ho9, Ho13 and Ho14 of the Borough Local Plan 2005. These policies seek, amongst other things, to achieve a high quality environment and ensure the living conditions of nearby occupiers is not adversely affected by development.

Other matters

12. I have noted the other comments from interested parties. However, as I am dismissing the appeal, nothing turns upon these matters.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR