



Appeal Decision

Site visit made on 19 June 2019

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2019

Appeal Ref: APP/L3625/W/19/3223566

4 Beaufort Road, Reigate RH2 9DJ

- 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 Stephen Liddle against the decision of Reigate & Banstead Borough Council.
 - The application Ref 18/01752/F, dated 14 August 2018, was refused by notice dated 20 December 2018.
 - The development proposed is the change of use of the land, demolition of existing garages and ancillary building, and erection of three number three-bed dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised are the effect of the proposal on:
 - i) the living conditions of the occupiers of 6 Beaufort Road and 4A to 4D Beaufort Road and future occupiers of the proposed development, with particular regard to overlooking and privacy, and
 - ii) the character and appearance of the area.

Reasons

Living conditions

3. The proposed development would be located to the rear of existing properties and adjacent to their rear garden areas. To the south west of the site is the property 6 Beaufort Road. The Council state that there is a separation distance of approximately 14 metres (m) between the single storey ground floor extension of this property and the closest of the proposed dwellings. It is also stated that the separation between the rear wall at first floor level and the closest proposed dwelling would be approximately 18m. Whilst views between this existing and the proposed property would be oblique, in my view, the separation distance, from a first floor window serving the bedroom of proposed unit 3, would allow for views into the ground floor living space and therefore would result in an unacceptable loss of privacy to the occupiers of this existing property.
4. I noted from visiting neighbouring properties that there is already a degree of mutual overlooking between properties in the area, however this is generally

from rear elevations along rear gardens. In this instance, there would be views from the proposed dwelling over part of the rear garden area and towards the rear elevation of 6 Beaufort Road. Given the existing degree of overlooking of part of the garden that already exists from neighbouring properties, notwithstanding the presence of any landscaping, this would result in the overlooking of the whole of the garden area of the existing dwelling. As a consequence, the scheme would have an unacceptable effect on the living conditions of the occupiers of 6 Beaufort Road through overlooking and loss of privacy.

5. Located between the proposal and the highway is a building containing four flats, 4A to 4D Beaufort Road. There are garden areas to the rear of these flats as well as windows within the rear elevation which allow for views over the appeal site. The Council's Officer Report sets out that there is a separation distance of over 21m between the rear wall of the existing flats and the proposed dwellings. Whilst this would allow for some mutual overlooking, it would not be at close quarters. As such, in my view, the separation distance would be sufficient to ensure that there is no unacceptable effect on the occupiers of the flats, or the future occupiers of the proposed properties, through overlooking or loss of privacy.
6. Whilst I find that the scheme would not have a detrimental effect on the living conditions of the occupiers of 4A to 4D Beaufort Road or future occupiers of the proposed development, it would have an unacceptable effect on the living conditions of the occupiers of 6 Beaufort Road, due to overlooking and loss of privacy. The scheme would therefore conflict with Policies Ho9 and Ho13 of the Reigate and Banstead Local Plan (2005) (the Local Plan) and Policy CS4 of the Reigate and Banstead Core Strategy (2014) (the Core Strategy). Together, and amongst other things, these seek to ensure that development does not seriously or unreasonably affect the amenities of adjoining properties and that development minimises the impact on surrounding properties.

Character and appearance

7. The area surrounding the site is characterised by generally terraced housing fronting the highway, positioned close to the highway with small front gardens. This results in a closeness to the urban form in the area. The buildings currently within the site, together with neighbouring buildings, are located to the rear of existing properties. The site comprises an area of land, accommodating a number of garages and a workshop/office building. The external areas of the site are hard surfaced. There are views of the site from the highway, along the existing vehicular access, as well as from the rear of the surrounding properties.
8. The scheme would result in the construction of a terrace of three dwellings centrally within the site, with a parking and turning area to the front as well as garden areas to the rear. Whilst located to the rear of properties, the scheme would be reflective of the terraces of buildings that are present within the area. There would be views of the proposed dwellings from the adjacent highway, however, they would be viewed within the context of the surrounding development, including neighbouring buildings sited behind terraces fronting the highway, and as a consequence would not appear incongruous.
9. The proposed building would be positioned close to the site boundaries but, given the closeness of the urban form in the area that I have referred to above,

this would not result in the development having a cramped appearance. Thus, it would relate well to the form of the surrounding buildings. To the frontage of the dwellings would be a parking area, including an area of landscaping together with an area for bin storage. In my view, this would not result in a development that has a lack of spaciousness. The scheme would reflect the general characteristics of residential development in the locality.

10. Accordingly, the scheme would not harmfully contrast with the surrounding development and would not appear cramped or have an unacceptable lack of spaciousness. Thus, there would be no adverse effect on the character or appearance of the area. The scheme therefore accords with Policies Ho9 and Ho13 of the Local Plan and Policies CS1 and CS4 of the Core Strategy. Together, and amongst other things, these seek to ensure development is not detrimental to the character of the surrounding area, that development maintains the character of an area, that development improves environmental conditions in the area and development reflects local distinctiveness.

Other Matters

11. I acknowledge that the scheme would make a small contribution to meeting housing need. However, this is not sufficient to outweigh the harm I have identified above.

Conclusion

12. Whilst I have found that the scheme would not have an adverse effect on the character and appearance of the area and that it would not harm the living conditions of the occupiers of 4A to 4D Beaufort Road or future occupiers of the proposed development, it would have an unacceptable effect on the living conditions of the occupiers of 6 Beaufort Road. This matter is decisive.
13. For the reasons above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR