

Appeal Decision

Site visit made on 25 July 2019

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/L3625/W/19/3226252
13 Beverley Heights, Reigate, RH2 0DL

- 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 & Mrs Lionel Bates against the decision of Reigate & Banstead Borough Council.
 - The application Ref 18/01947/F, dated 14 September 2018, was refused by notice dated 21 February 2019.
 - The development proposed is the demolition of existing dwelling and construction of three new dwellings.
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Decision

1. I dismiss the appeal.

Procedural Matter

2. The application dated 14 September 2018 was originally for 4 dwellings. This was changed during the course of its processing to 3 dwellings. Just as the Council ultimately did, I am determining and considering the plans for the lesser number.

Main Issues

3. The main issues are the effect of the proposal on:
 - living conditions for neighbours at No 2 Beverley Heights; and
 - the character and appearance of the locality with particular regard to the landscape qualities of the Beverley Heights frontage and the aesthetic aspects of the Alma Road & Raglan Road Residential Area of Special Character.

Reasons

4. The appeal site consists of a large detached dwelling in a generous, irregular shaped corner plot in the north eastern corner of Beverley Heights. Boundary vegetation is most substantial along the northern and eastern boundaries. The eastern part of the site is situated within the designated Alma Road and Raglan Road Residential Area of Special Character (RASC), which is characterised by dwellings set in large, spacious plots, with a predominance of tree cover. The site slopes in level from a high point in the north eastern corner, to lower levels
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to the west and south. The general scene is of very attractive appearance and character being low density with landscape and a verdant backdrop.

5. The proposal is as described above. The three new detached dwellings would be traditional in style, have some design variation, be two storey and be substantial in scale. They would be arranged in a linear layout, orientated north/south. A new access road would be created into the site, utilising the existing access point to Beverley Heights, and would run in near proximity to the southern boundary of the site. The rear gardens of the new dwellings would share a rear boundary with the existing dwellings that front Raglan Road.

Living conditions

6. No 2 Beverley Heights has a generous but generally open north facing rear garden which would abut the appeal scheme on its southern side at its western end. The appeal site at this point and beyond is at an appreciably higher level and there is only very limited vegetation on its side of the fence. The existing property lies well into the plot northwards and is set 'side on' to the rear of No 2. It is very visible from No 2 as a detractor from the wider green scene and the upstairs window of No 13 offers total overlooking of the garden and rear elevation of this home to the south. The present relationship is far from ideal, exacerbated by the lack of tree cover at this point (albeit this allows No 2 to have views out to Reigate Hill), and not entirely what one would expect in this quality of neighbourhood.
7. Unfortunately the appeal scheme would lead to residential amenity for the neighbours to the south being markedly reduced further. There has been little obvious attempt to keep massing and levels to a reasonable minimum with this wider 'face on' front to rear arrangement of dwelling, roof height would be increased, upper level fenestration remains the same height but would be multiplied, and prominent gables would face south drawing visual attention. At the same time scope for new substantial landscape would be significantly limited by reason of the degree of hard-surfacing at the key point north of the shared boundary primarily given the 'double drive' arrangement and also the garage position and bin store plans.
8. I am in no doubt that even with separation distances the scheme as planned would lead to an unduly uncomfortable sense of actual and perceived overlooking and an overbearing and dominant structure which would unreasonably impinge on the residential amenity for neighbours in No 2 and the outlook they would reasonably expect to be preserved.
9. The Council's Local Plan 2005 (LP) includes Saved Policies Ho9, Ho13 and Ho16 which seek, amongst other matters, to protect living conditions of neighbours. This is also a key consideration of the Reigate and Banstead Local Distinctiveness Design Guide (DG). I conclude that this development would run contrary to these policies and to a principal relevant objective in the DG.
10. I would add that whilst the Council mentions impact to No 2 Beverley Heights from planned Plot 2 I am only concerned with Plot 1. To my mind Plot 2 is more considered in terms of its front elevation, massing, and upper floor fenestration and is less directly facing No 2 Beverley Heights.

Character and appearance

11. As part of a reason for refusing the scheme the Council is concerned that the multiple access arrangements, loss of hedging and amount of hard landscaping at the end of the cul-de-sac cause a harmful interruption of the street frontage at Beverley Heights. I agree that there would certainly be change at this cul de sac end and more hard-surfacing would be evident. However the wider scene as one heads towards the end of the road would remain one of lower density housing in large grounds and landscape would remain very much in evidence. The driveways themselves would not be out of character not least because the immediate end of the cul de sac is very much one of hard-surfacing with the road turning head and four driveways all in close proximity. The hedging and part of the verge which would be lost are not of over-riding importance to my mind in this scene.
12. I now turn to the RASC aspect of the refusal wherein the Council is concerned that there would be significant harm to the verdant, open and spacious character of the area. I can fully understand why the Council would wish to zealously protect the RASC from unsuitable development; it is an extremely attractive area.
13. However I am not persuaded that the planned style, height and size of dwellings and the plots they would occupy in the RASC would be harmful to the locality's aesthetic qualities. I say this appreciating that the gardens would be towards the lower end of the spectrum in the RASC but to my mind not harmfully so. Dwelling spacing between and around would be significant, principal trees would remain, scope for new planting would be readily available, and the designs of plots 2 and 3 would be of a sympathetic and characteristic vernacular nature. The layout pattern would not match most plots in the RASC but substantial variety is found therein and one of its charms in certain parts is the informality of dwelling positions and irregular plot shapes. Furthermore in my opinion there would not be material harm to amenities of those living in the RASC or to the longevity of its qualities from this scheme. A sense of spaciousness would continue to prevail and the established character and attractive appearance of the RASC would endure.
14. I therefore conclude that there would not be conflict with LP Saved Policies Ho9, Ho13, Ho15 and Ho16 and Policy CS4 of the Reigate and Banstead Core Strategy. Taken together and amongst other matters these policies call for well designed development of suitable scale, form and appearance relative to the aesthetic qualities of the immediate and wider location generally and within a RASC specifically and underline that the maintenance of the character of an area will normally be the prime consideration when residential development is contemplated. This is reflected in the DG and whilst that document cannot be expected to cover every eventuality the appeal scheme would not run contrary to its objectives.

Other matters

15. I have carefully considered all the other matters drawn to my attention by interested parties. However none of these add to my reasons for dismissing the appeal.
16. The provision of additional homes would bring benefits but my concern rests with the harm to residential amenity which would be caused. I fully appreciate

that the scheme was recommended for approval by planning officers and I have also carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to one of the main issues identified above.

17. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

18. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on character and appearance of the locality with particular regard to the landscape qualities of the Beverley Heights frontage and the aesthetic aspects of the Alma Road & Raglan Road Residential Area of Special Character. However it would have an undue impact on living conditions for neighbours at 2 Beverley Heights. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR