
Appeal Decision

Site visit made on 17 September 2019

by N Thomas MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/L3625/W/32332106

Chalk Hill, Waterhouse Lane, Kingswood KT20 6DT

- 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 Wells of Character New Homes Ltd against the decision of Reigate & Banstead Borough Council.
 - The application Ref 19/00361/F, dated 19 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed is the demolition of existing dwelling and the erection of 2 x 4 bed houses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Subsequent to my site visit, the Reigate and Banstead Local Plan Development Management Plan (DMP) was adopted on 26 September 2019. The relevant policies have been provided and the parties have been given the opportunity to comment on their implications for the case. Policies Ho9, Ho13 and Ho16 of the Reigate and Banstead Local Plan 2005 are replaced by DMP Policy DES1.
3. A drawing indicating a soft landscaping scheme has been provided with the appeal. As this relates to a matter that could be dealt with by a planning condition if I were minded to allow the appeal, I am satisfied that no parties would be prejudiced if I take it into consideration in determining the appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the site and surrounding area.

Reasons

5. The appeal site is a corner plot with access from Hill Lane, a cul-de-sac that serves a number of predominantly residential properties. The site is prominently sited adjacent to the junction with Waterhouse Lane. Hill Lane rises up steeply, so that there are views across the valley to the countryside beyond, and the appeal site is in an elevated position in relation to Waterhouse Lane. The boundary of the site with Waterhouse Lane is marked by a continuous hedge on top of a bank, with the garden rising up behind it.
6. The built form on Chalk Hill and Waterhouse Lane is characterised by substantial detached houses in generous plots with a loose-knit pattern of

- development. The boundaries are generally marked by hedges and trees, giving the area an informal and verdant appearance. Although the houses are generally detached, they include a variety of styles and materials so that there is no overriding built form.
7. The site is within a Residential Area of Special Character (RASC) as designated by Policy DES3 of the DMP. This sets out specific criteria that apply to new residential development. In particular, plot frontages should reflect the existing street context, there should not be a harmful erosion of the spacing between buildings, an over-dominance of built form within the plot, or an inappropriate sub-division of existing curtilages to a size below that prevailing in the area.
 8. The appeal proposal would introduce two substantial detached houses on the site, of a modern design, with flat roofs and a subterranean level. The subdivision of the site would create two plots which would be noticeably smaller than the prevailing plot sizes. The dwellings would be relatively close to each other and to the site boundaries, and would be particularly close to Hill Lane. In this context, the resulting development would appear cramped and out of character with the prevailing spacious pattern of development and the RASC. Although there would be space for planting on the boundaries, due to the topography of the area and the prominence of the site in an elevated position, the intensive form of development would still be apparent and would appear incongruous and obtrusive.
 9. The houses would be served by a new shared access from Waterhouse Lane, which would involve reducing the land levels and removing a section of hedge to create an opening through the bank and into the site. The Highway Authority has stated that it may be possible to form the access without having to regrade the bank to improve visibility, but I note that they also state that this would need to be verified on site. In any event, there would be sufficient space for a replacement hedge on top of any regraded sections of the bank, which could be secured through a landscaping condition if I were minded to allow the appeal.
 10. Nevertheless, the new access would open up the site to views from Waterhouse Lane and the countryside beyond. Due to their bulk and degree of plot coverage, the dwellings, associated hard-surfacing and retaining walls would appear as a more intensive, cramped and prominent form of development when compared with the current situation, which would detract from the character and appearance of the site and surrounding area.
 11. Properties fronting onto Waterhouse Lane to the north west of the appeal site have access points onto the road, which give glimpsed views into the gardens towards the houses. However, those houses are set well back from the road frontage, generally behind hedges and trees, and are not comparable with this scheme, which would introduce a more intensive form of development that would be out of character with its surroundings.
 12. I appreciate that the appellant considers the scheme overcomes the concerns of the Council and the Inspector in relation to a previous appeal¹. However, I have considered the case on its own merits and found that it would be harmful.
 13. For the reasons set out above, I conclude that the proposal would be harmful to the character and appearance of the site and surrounding area. Accordingly,

¹ Ref APP/L3625/W/18/3195103

the proposal would be in conflict with Policies DES1 and DES3, which seek, amongst other things, to ensure that new development is of a high quality design that makes a positive contribution to the character and appearance of its surroundings, reinforces local distinctiveness and respects the character of the surrounding area, including the RASC.

Planning Balance and Conclusion

14. The Government seeks to boost the supply of homes, as set out in paragraph 59 of the National Planning Policy Framework (the Framework). The proposal would make more efficient use of the site by providing one additional dwelling, in a built up area that is close to facilities and services, including Kingswood Railway Station. The lack of harm to the living conditions of neighbouring properties, and the provision of adequate living conditions for future occupiers, are neutral matters that do not weigh in favour of the proposal. The appellant considers that the existing house is dated and inefficient, and in need of significant improvements, whereas the proposal would provide two contemporary dwellings of a high quality design. These considerations do not outweigh the harm I have identified and the conflict with the development plan.
15. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

N Thomas

INSPECTOR