



Appeal Decision

Site visit made on 18 February 2020

by Mr D.R McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/L3625/W/19/3239546
48 Hornbeam Road, Reigate RH2 7NW

- 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 Sullivan against the decision of Reigate & Banstead Borough Council.
 - The application Ref 19/01357/F, dated 1 July 2019, was refused by notice dated 13 September 2019.
 - The development proposed is a 1 bedroom bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for a 1 bedroom bungalow at 48 Hornbeam Road, Reigate RH2 7NW in accordance with the terms of the application, 19/01357/F, dated 1 July 2019 subject to the conditions in the attached schedule.

Procedural Matter

2. The Council considered the original planning application against the policies in their Borough Local Plan (2005) which have now been superseded following the adoption of their Development Management Plan (2019). These changes are set out in the Council's statement of case. As decisions on appeals are made against the local plan that is in force at the time that the appeal is decided, I have considered the proposed development against the policies in the new 2019 plan in so far as they have been drawn to my attention.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is a corner plot located at the end of a terrace of 2 storey modern properties at the junction of Hornbeam Road and Hazel Road. Hazel Road is on an incline that becomes steeper as it moves away from Hornbeam Road. The area is residential in character, with houses of mixed architectural styles. Properties along Hornbeam Road are arranged mostly in short terraces, while newer houses on Hazel Road have greater variety in terms of arrangement and positioning.

5. The proposed bungalow would be located to the rear of No.48, facilitated by the subdivision of the rear garden. The new dwelling would front and have access on to Hazel Road, which is to the side of No.48 and is currently bounded by a high fence.
6. The proposed bungalow would be modest in scale when compared to the surrounding properties. The perceived scale of the dwelling, as compared to those further up Hazel Road, would be further reduced by the sloping nature of the surroundings. I also note that the proposed bungalow would be set back from Hazel Road further than the existing high fence that is at the side boundary of the site. As a result of these factors, and the garden space that would remain with No.48, I find that the proposed dwelling would maintain an acceptable visual gap between the terraces in Hornbeam Road and Hazel Road and would not appear cluttered.
7. The plot width as seen from Hazel Road would be consistent with surrounding properties. While the overall plot size is small when compared to nearby properties on Hornbeam Road, it is more consistent with newer dwellings on Hazel Road which also feature greater variety in terms of arrangement and positioning. As such, I find that the proposed development would be consistent with the layout of the area and the general street scene.
8. Whilst bungalows are not the predominant dwelling type in the local area, there is not a high degree of consistency in terms of architectural style that would be disrupted by the introduction of a bungalow in this location.
9. In light of the above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. Consequently, I do not find conflict with policies in the Reigate & Banstead Local Plan, in particular Policy CS4 of the Core Strategy and Policies DES1 and DES2 of the Development Management Plan which taken together seeks to ensure that new development is of a good standard of design that is consistent with the local area.

Other Matters

10. Representations from other parties that relate to the reason for refusal are noted and discussed above.
11. In relation to impact on the privacy conditions of neighbours on Hazel Road, it is noted that properties further up the road sit on higher ground to the appeal site. This, along with the high boundary fences, low height of the proposed bungalow, and the orientation of its windows would result in an acceptable impact in terms of maintaining privacy conditions. Similarly, the scale and position of the proposed development is such that it would not result in unacceptable overshadowing to neighbouring properties.
12. Concerns relating to parking provision and traffic congestion are noted. The proposed development would provide 1 off street car parking space, which is considered adequate for a development of this scale. Given the nature of the locality I do not consider that the proposal would give rise to wider traffic issues, subject to the conditions discussed below.

13. Issues relating to potential disruption during construction are adequately covered by other regulatory regimes outside of planning (for example, environmental health). As such, a condition seeking to control this matter is not necessary.

Conditions

14. The Council requests that several conditions be imposed, which I will consider by reference to the numbering set out in the schedule attached to this decision. Where necessary, I have slightly amended the suggested conditions to better comply with the tests for conditions set out in the National Planning Policy Framework and its guidance.
15. The three year period in which the planning permission may be implemented (1) is a statutory requirement. I also consider that it is necessary in the interests of clarity to specify the plans that are approved (2).
16. I have included conditions requiring the approval of materials to be used on the exterior of the dwelling (3) and details of hard and soft landscaping (4) in the interests of preserving the character and appearance of the surrounding area.
17. I have included conditions relating to the provision of access (5) and parking (6) in the interests of highway safety and to respond to third party concerns. I have included a condition relating to provision of an electric vehicle charging point (7) in the interests of securing sustainable development.
18. I have considered the Council's suggested condition that removes permitted development rights for extensions to the new dwelling. I am mindful of paragraph 53 of the Framework, which advises that permitted development rights should not be removed without clear justification. Given the constraints of the site, I consider that any scope for future extension would be satisfactorily controlled through the general limitations that are attached to the exercise of such permitted development rights. As such, and in the absence of any specific justification, I find this condition to be unnecessary and have not included it.

Conclusion

19. For the above reasons the appeal is allowed and planning permission is granted subject to the conditions set out in the attached schedule.

D. R. McCreery

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 10B, 11B, 12A.
3. No development above foundation level shall take place until details of the materials to be used in the construction of the external surfaces have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.
4. The dwelling shall not be occupied until details of hard and soft landscaping is submitted to and approved in writing by the Local Planning Authority. These shall include frontage tree and hedge planting and any other existing or proposed, soft or hard, landscaping in the front garden area, or adjacent to boundaries where appropriate. The soft landscaping details shall include an establishment maintenance schedule for a minimum of 2 years, full planting specifications, planting sizes & densities. All the landscaping works shall be carried out in strict accordance with the details as approved, and these shall be completed, before building completion, occupation or use of the approved development whichever is the earliest, or as otherwise agreed in writing by the Local Planning Authority.

If any of the trees or hedges approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by the Local Planning Authority.

5. No part of the development shall be first occupied unless and until the access on to Hazel Road has been constructed in accordance with the approved plans and thereafter it shall be permanently retained.
6. The development hereby approved shall not be first occupied until the space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.
7. The development hereby approved shall not be occupied until the proposed dwelling is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply).