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## Appeal Decision

Site visit made on 14 June 2020

**by N Holdsworth MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 July 2020**

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**Appeal Ref: APP/L3625/W/19/3243260**

**Jacaranda, The Glade, Kingswood, Surrey KT20 6LH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
  - The appeal is made by Mr Joel Barsch against the decision of Reigate and Banstead Borough Council.
  - The application Ref 19/01386/DET03 dated 3 October 2019, sought approval of details pursuant to condition No 3 of planning permission Ref 19/01386/S73, granted on 1 October 2019.
  - The application was refused by notice dated 11 December 2019.
  - The development proposed is Demolition of the existing house and its replacement with a contemporary two-storey dwelling. New double garage forward of the new house and new landscaping to the front and immediate rear garden. Variation of condition 1 of permission 19/00377/F to make the following changes: 1. Garage relocated and width of associated storage area increased 2. Retained wall moved closer to boundary line, and front gates and driveway moved in line with the new position of retaining wall. 3. Retaining wall stepped away from the proposed house to allow access to the garden. 4. Changes of windows on front elevation 5. Total number of dormers increased from 6 to 8 6. roof light sizes changed and relocated 7. Slight relocation of front door 8. new proposed obscure glazed window to side elevation 9. Rear ground floor door heights amended to 2.5m with inset brick detail above. As amended on 18/07/2019 and on 06/09/2019 and on 13/09/2019.
  - The details for which approval is sought are: SSQ Del Prado roof slate (full data sheet provided, including a physical sample).
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### Decision

1. The appeal is allowed and the details submitted pursuant to condition No 3 attached to planning permission Ref 19/01386/S73, granted on 1 October 2019, in accordance with the application Ref 19/01386/DET03, dated 3 October 2019 and the plans submitted with it, are approved.

### Background and Main Issue

2. I undertook an unaccompanied site visit. It was possible to view the site and its surroundings from the road.
3. Condition 3 of the planning permission cited above requires that details of external roofing materials to be used in the approved development are submitted to and approved in writing by the Local Planning Authority. The desired materials were refused by the Council, leading to this appeal.

4. Having had regard to the refusal notice and the Council's submissions to the appeal, the main issue is the effect of the proposed materials on the character and appearance of the host building and surrounding area.

### **Reasons**

5. The approved dwelling is sited on a private estate of largely detached houses of individual design. Many have clay tile roofs, which is a wider characteristic of twentieth century residential development in this part of Surrey.
6. However, the houses to the immediate east of the site are an exception to this. Two out of three have slate roofs, and immediately beyond the junction with Forest Drive there is a building with a thatched roof. One of these buildings is of relatively recent construction, receiving planning approval in 2007<sup>1</sup>.
7. The proposed slate roof would be seen in the context of this existing cluster of buildings. They depart from the dominance of tile roofs on the estate, but in each case they are individually designed buildings constructed from high quality, traditional building materials at roof level. The proposed slate is a natural material of good quality, so the proposal would follow this pattern.
8. As such, given its siting adjacent to the existing cluster described above, the proposal would not significantly detract from the wider appearance or visual uniformity of the estate at roof level. It would complement the appearance of the existing buildings surrounding the site and would not erode any local distinctiveness. There would be no harm to the character and appearance of the host building or the surrounding area, which is designated as a residential area of special character.
9. The Council make reference to the Reigate and Banstead Local Distinctiveness Design Guide (2004). This refers to clay tiles as the dominant roofing material within the Borough, but also acknowledges the presence of Welsh slate, along with other roofing materials. I have had regard to this guidance but consider that the variety of existing roofing materials found around the approved dwelling, as discussed above, justifies the proposed arrangement. A departure from the requirements of this guidance is therefore justified.
10. I conclude that the proposed details are acceptable in terms of the effect on the character and appearance of the host building and surrounding area. There is no conflict with development plan policy DES1 of the Reigate and Banstead Local Plan Development Management Plan (2019) which requires, amongst other things, that development is of a high-quality design using high quality materials. The proposal complies with the National Planning Policy Framework, which seeks to achieve well-designed places.

### *Other Matters*

11. The siting of the building adjacent to an existing cluster of properties with predominantly non-tile roofs means that the circumstances are different to other appeal decisions cited by the Council, where conditions were imposed by Inspectors requiring details of further materials in some cases specifying tile roofs. The appeals on Waterhouse Lane were dismissed<sup>2</sup>, but in each case the principal reasons related to the bulky design of each proposed building.

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<sup>1</sup> As discussed in paragraph 3.14 of the appellants appeal statement, and onwards.

<sup>2</sup> APP/L3625/W/14/3000035 and linked appeals.

12. Each case must ultimately be considered on its individual merits, having regard to the immediate surroundings of the site, and on this occasion the proposal is acceptable. The fact that other similar clusters of slate roofs exist in the wider surrounding area supports the view that there is a degree of diversity in the roofscape, and a flexible approach to this issue is justified.
13. Reference is made to the site falling near to the Kingswood Conservation Area. The special historic interest of this area is derived from the high architectural quality of the buildings within it, which are largely built in an Arts and Crafts style. However, the boundary of the Conservation Area is set further along the Glade, and there are a large number of residential properties found within the intervening space. These provide a significant degree of visual and physical separation between the site and this designated heritage asset. As such, the proposed slate roof would not have any effect on the setting of this Conservation Area.

### **Conclusion**

14. The proposal accords with the development plan and there are no other considerations that outweigh this finding. The appeal should succeed.

*Neil Holdsworth*

INSPECTOR