
Appeal Decision

Site visit made on 8 June 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2020

Appeal Ref: APP/L3625/W/3245880

Land adjacent to 2A Bolters Road, Horley RH6 8QU

- 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 Eden Valley Builders Ltd (Mr B Causon) against the decision of Reigate & Banstead Borough Council.
 - The application Ref 19/01777/F, dated 9 September 2019, was refused by notice dated 7 November 2019.
 - The development proposed is construction of pair of semi-detached two-storey 2 bed dwellings on vacant land.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the purpose of clarity and precision, the address of the site has been taken from the decision notice.

Main Issues

3. The main issues in this appeal are:
 - The effect of the proposal upon the character and appearance of the area; and
 - The effect of the proposal upon the living conditions of surrounding residents, in particular those of 36 Benhams Drive.

Reasons

Character and appearance

4. The appeal site comprises an undeveloped parcel of land, which has the benefit of an extant outline planning permission for the erection of a two storey, four-bedroom property with a single attached garage (17/01629/F). The appeal site is roughly triangular in shape, with a wide road frontage that narrows to the rear. Along the frontage of the site is a well-established hedge. The site is positioned close to the junction of Bolters Road and Benhams Drive and occupies a prominent position within the street scene. An existing electricity sub-station protrudes into the north-western part of the site.
 5. The surrounding area is predominately sub-urban in character, with a mix of styles and type of dwellings, including detached, link-detached and semi-detached properties. The designs of the dwellings are varied with a mix of
-

gables and hipped roofs. Properties are set back from the carriageway edge in reasonably sized plots, with good sized rear gardens. The buildings fill the width of the plots. Properties have open frontages, some with off-street parking provision. Landscaping to the front mainly comprises low level planting, which maintains an open feel to the street scene.

6. The proposed development would introduce a pair of semi-detached dwellings onto the appeal site. The properties would be accessed from Bolters Drive, with space provided to the front for off-street car parking. Each property would have a rear garden area. The design of the properties would be similar in appearance and materials to those surrounding.
7. Policy DES1 of the Reigate & Banstead Development Management Plan (DMP) identifies that all new development will be expected to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. Policy DES5 states that, amongst other things, development proposals should make adequate provision for outdoor space and ensure good living conditions for future occupants.
8. I note that Policy DES5 is not included within the Council's decision notice on the appeal scheme, however it has been referred to by both parties in their submissions. The policy forms part of the development plan and it is my duty to determine the scheme in accordance with the development plan unless material considerations indicate otherwise.
9. To accommodate the additional dwelling on the site, the development would involve the sub-division of the site. A significant proportion of the garden for Plot 1 would wrap around the existing electricity substation. With regards to Plot 2, only a small area of its rear garden would be positioned directly to the rear of the Plot, with the large majority of it being offset and lying to the rear of Plot 1.
10. Whilst the boundaries of some of the nearby properties do not run parallel with the buildings on the site, they all benefit from reasonably sized rear gardens, with a suitable level of privacy. The resulting plot size, shape and orientation for each of the proposed dwellings would therefore not be comparable to the plots of other dwellings within the area. The appeal proposal would result in the erection of two dwellings on what is a single plot. Consequently, the proposed new dwellings would sit within a substantially reduced plot size, which would create a cramped form of development, indicative of overdevelopment. As a result, the proposal would introduce a pattern of development which would be out of keeping and harmful to the character and appearance of the area. Given the constrained shape of the site, this could not be overcome with an alternative layout of development.
11. The overall ridge and eaves height of the proposed dwelling would be similar to those of the approved building. The footprint of the proposed building, whilst being larger than the approved, would be sited in a similar position and orientation. As such, the proposal would retain a sense and feel of separation between the proposed dwellings and the detached neighbouring properties. I also note that there would appear to be sufficient space to the front for the provision of adequate landscaping. However, given the emphasis placed on high quality design in Policy DES1, whilst these similarities are benefits of the proposed development, they do not overcome the harm I have found.

12. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and, in this respect, is contrary to Policies DES1 and DES5 of the DMP, the Council's Local Distinctiveness Design Guide SPG and Paragraph 127 of the National Planning Policy Framework (the Framework).

Living conditions

13. The orientation of the proposed building is such that the rear windows of the new dwellings would face towards the existing rear gardens of the surrounding properties. As a result, there would be overlooking from the 1st floor rear windows of the proposed dwellings, into the garden of 36 Benhams Drive.
14. I note that the extant scheme, whilst only being for a single dwelling, would have a similar arrangement with regards to its orientation and outlook. However, when compared with the approved scheme, the proposed development would have only two rear facing bedroom windows, compared with the three in the approved scheme. Within each of the side elevations of the proposed building there would be a single, obscure glazed bathroom window. On this basis, when compared with the approved scheme, the appeal proposal would result in no significant increase in overlooking of adjoining residential properties.
15. For the above reason, I therefore conclude that the proposed development would not harm the living conditions of surrounding residents and, in this respect, complies with Policy DES1 of the DMP, Policy CS4 of the Core Strategy 2014, The Householder Extensions & Alterations SPG 2004 and paragraph 127 of the Framework.

Conclusion

16. I have found that the proposed development would not harm the living conditions of surrounding residents. However, this is outweighed by the harm to the character and appearance of the area. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR