



Appeal Decision

Site visit made on 12 November 2020

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/L3625/W/20/3252148

134 Brighton Road, Hooley, Coulsdon, CR5 3EF

- 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 J Carvall on behalf of Carvall Homes Ltd against the decision of Reigate and Banstead Borough Council.
 - The application Ref 19/01890/F, dated 23 September 2019, was refused by notice dated 20 March 2020.
 - The development proposed is described as demolition of existing chalet style dwelling and redevelopment for 5 flats in a part single part two storey development with roof accommodation and associated refuse storage and parking spaces. As amended on 08/01/2020.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing chalet style dwelling and redevelopment for 5 flats in a part single part two storey development with roof accommodation and associated refuse storage and parking spaces. As amended on 08/01/2020 at 134 Brighton Road, Hooley, Coulsdon, CR5 3EF in accordance with the terms of the application, Ref 19/01890/F, dated 23 September 2019, subject to the conditions set out in the schedule attached to this decision.

Preliminary matters

2. On question E of the appeal form the appellant has ticked the box stating that the description has not changed from that stated on the application form. However, this appears to have been done in error as the appellant then gives a revised description for the development, which reflects the reduction in the number of units from 6 to 5 flats. This revised description is consistent with that used by the Council and appellant in the appeal documentation. Accordingly, for the avoidance of any doubt, I confirm that the amended description is used in this decision.
3. Similarly, for the avoidance of doubt I confirm that this decision relates to the substitute drawings reference 134BR P2 rev G dated 03/12/2019 and 134BR P3 rev F dated 12/12/2019, upon which the Council based its decision. It does not relate to or address drawings reference 134BR P2 and 134BR rev A which were originally submitted to the Council with the planning application.

Main Issues

4. The first main issue is the effect of the proposal on the character and appearance of the surrounding area. The second main issue is the effect of the proposal on the living conditions of local residents resulting from increased pressure for on-street parking.

Reasons

Character and appearance

5. The Appeal site is located within a linear suburban housing area which primarily dates from the 1930's and which is characterised by a diverse range of two storey detached and semi-detached family houses, bungalows and chalet style dwellings. The dwellings vary considerably in size, form, height, depth and design and there is a modern two storey flats development a short distance to the north of the appeal site, which is designed to have the appearance of two large detached houses.
6. Within this stretch of Brighton Road (A23) the ground levels rise to the west and east, resulting in the dwellings on the east side of Brighton Road being elevated and the gardens of the properties on the west side of Brighton Road rising to the rear. The dwellings are set back from the street scene behind good sized front gardens, which typically include on-site parking provision. Many of the dwellings are screened from the street scene by mature trees and shrubs along their front and side boundaries and there are grass verges along the western side of Brighton Road. There are also a number of commercial buildings fronting this part of Brighton Road which is part of the busy strategic road network.
7. Collectively these features contribute to the mixed, yet verdant character and appearance of the street scene and its surroundings.
8. The appeal site currently comprises a detached two storey family dwelling of no particular architectural merit. The majority of the front garden is hard surfaced, there is a hedge along the northern boundary of the front garden and mature planting at the western end of the rear garden. To the north is a detached two storey house and to the south is a bungalow with a deep roof and which is separated from the appeal site by a detached garage. On the opposite side of Brighton Road are several elevated two storey family houses with forecourt parking.
9. The appeal site is located in a designated urban area for planning purposes, where small housing schemes can be supported. Collectively and amongst other things policies CS1 and CS10 of the Reigate and Banstead Core Strategy (CS) and policy DES1 of the Reigate and Banstead Local Plan Development Management Plan 2019 (DPD), seek to ensure that new development makes efficient use of land, is of high quality design, respects the character of the area and improves the economic, social and environmental conditions of the area. New development should have due regard to the layout, density, plot sizes, scale, massing, height and roofscapes of the surrounding area, along with the relationship with neighbouring properties and views into and out of the site. Policy DES4 of the DPD seeks to secure a mix of dwelling types to meet the needs of the Borough and this includes the provision of one and two bedroom homes at a ratio of at least 20% on small sites.

10. Consistent with this sections 5, 11 and 12 of the National Planning Policy Framework 2019 (Framework) seek to meet local housing needs; make optimum use of sites; and to ensure that development functions well and adds to the quality of an area. New development should be sympathetic to local character and history, whilst not preventing appropriate change, including higher densities where appropriate.
11. The proposed building would be two and half storeys high and from the street scene is designed to have the appearance of a traditionally designed house. Its front elevation would be broken up by gable and bay window features and its roof would be hipped away from the side boundaries of the site. The main part of the building would have front and rear building lines that are broadly consistent with the adjacent dwellings to the north and south.
12. The proposed rear projecting wing would project further into the rear garden environment than the adjacent dwellings. However, it would be both set in from the main side walls of the proposed building and would sit below the main eaves height of the building. It would also sit at a lower level to the retained rear garden area. As a result, it would not look unduly large, cramped or out of place within this mixed rear garden environment.
13. Whilst the proposed building would be materially taller than the adjacent bungalow a generous sized gap would be provided between the two buildings. The proposed building would not be dis-similar in height to the detached dwelling to the north, which has a flat crown roof and it would be lower than the two storey houses opposite. In terms of width, the building would be comparable to some of the semi-detached dwellings in the locality and the modern flats development a short distance to the north.
14. The existing hedge along the northern boundary of the site would be retained and the existing two crossovers would be replaced with a single access. Whilst much of the front garden area would be utilised for car parking and turning, there would be soft planting on either side of the access and to the front of the building. There would be an elevated informal communal garden area in the western part of the rear garden, where several trees would be retained and new shrubs planted.
15. For these reasons, although the density of the development would be greater than that of the adjacent dwellings, it would nonetheless respect the character and appearance of the street scene and the surrounding area.
16. I conclude on the first main issue that the proposal would respect and would be readily assimilated into the street scene and the surrounding area. Accordingly, it would comply with policies CS1 and CS10 of the CS, policies DES1 and DES4 of the DPD and sections 5, 11 and 12 of the Framework.

Car parking and Living conditions

17. Policy TAP1 of the DPD requires new development to provide safe and convenient access for all road users, taking into account cumulative impacts. Developments should not result in unacceptable levels of on-street parking demand. Car parking and cycle storage should be in accordance with the standards set out in Annexe 4 of the DPD unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include further information on accessibility.

18. Together Policies CS10 and CS17 of the CS state that development should take account of levels of accessibility and services and minimise parking provision in the most sustainable locations. Development should minimise the need to travel, whilst increasing opportunities to cycle, walk or use public transport. Policy DES1 of the DPD seeks to make adequate provision for access, servicing, circulation and parking and turning, taking account of local character. These policies are consistent with section 9 of the Framework.
19. In accordance with Annexe 4 of the DPD the proposal should include 10 parking spaces, although it states that the standards are provided as a guide and they may be varied at the discretion of the Council to take account of local circumstances. It also states that one cycle storage space should be provided for each two bedroom flat. The proposal includes five on-site parking spaces, resulting in a shortfall of five spaces, although the proposed six cycle storage spaces exceeds the adopted standard.
20. Whilst the site is located within an area that is designated as being of 'low accessibility', it is within walking distance of two petrol filling stations, a small parade of shops and a coffee shop. A regular bus service runs through Hooley and along Brighton Road to the front of the site, facilitating access to Redhill, Coulsdon and Croydon which offer a broad range of facilities and links to local and national rail services. Bus stops for this service are conveniently located on both sides of Brighton Road in close proximity to the appeal site. There is also a pedestrian crossing point across Brighton Road close to the bus stops and the footpaths along this stretch of Brighton Road are illuminated, level and generous in width.
21. In addition, there are a number of rural lanes and footpaths in the locality providing pedestrian/cycle access to Netherne to the east and a range of recreational and other facilities to the northwest.
22. As a result of these factors I find that the appeal site is in an accessible location, where there are opportunities for walking, cycling and using public transport.
23. The double yellow lines in the highway outside the appeal site would prevent parking along this stretch of Brighton Road. There is some on-street parking permitted further to the south along Brighton Road, adjacent to the junction with Dean Lane as well as to the west in Church Lane Avenue. However, parking in these areas would not be particularly attractive on a routine basis due to their distance from the appeal site and the access routes to and from them. These on-street parking constraints and the availability of public transport would likely be taken into consideration by persons considering moving into the flats.
24. As pointed out by the appellant, the proposal is for just five flats and that due to their modest size their occupancy would be unlikely to generate the same travel demands as larger houses. In addition, I note that no objections have been raised by the County Highway Authority or Highways England.
25. As a result of these factors I find that the proposal would be highly unlikely to place unacceptable additional pressure on the demand for on-street parking in the local area and that it would not have a materially adverse impact on the convenience and living conditions of local residents.

26. I conclude on the second main issue that the proposal makes adequate provision for on-site parking and would not result in additional unacceptable pressure on the demand for on-street parking in the local area. As such, the proposal would comply with policies CS1, CS10 and CS17 of the CS, policies DES1 and TAP1 of the DPD and section 9 of the Framework.

Other matters

27. The fenestration above ground floor level is positioned and orientated to ensure that it would not result in a material loss of privacy for the occupiers of the adjacent dwellings. Due to the juxtaposition and distance between the proposed building and the adjacent dwellings, the proposal would not result in an unacceptable loss of daylight or sunlight within the adjacent dwellings.
28. Finally, the Council has suggested the imposition of conditions relating to adherence to the approved drawings; the provision of a Construction Transport Management Plan; various highway works; parking and waiting restrictions for construction vehicles and plant; the provision of car parking, vehicle turning and cycle storage spaces; measures to prevent water entering the highway and visibility zones; visibility splays; the provision of an electric vehicle charging point; the provision of an energy and water efficiency statement; external materials; soft and hard landscaping details; the storage of refuse; the provision of high-speed broadband; and a condition which clarifies that the flat roofed area shall not be used for a terrace or other amenity area.
29. These conditions are all necessary for reasons of certainty, to ensure the development blends in appropriately with its surroundings; to provide satisfactory living conditions for the occupiers of the proposed development; in the interests of highway safety; to protect the living conditions of the occupiers of the adjacent properties; and to minimise the consumption of natural resources. However, I have amended some of the wording in the interests of precision and enforceability and neither the Council nor the appellant have raised any concerns relating to the proposed conditions and their wording.

Conclusion

30. Having regard to the conclusions on both main issues and all other matters the appeal is allowed.

Elizabeth Lawrence

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 134BR P1 Rev A, 134BR P2 Rev G dated 3/12/19, 134BR P3 Rev F dated 12/12/2019 and a topographical survey.
- 3) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, (who shall consult with Highways England and the County's highway authority).

The Construction Management Plan shall include details of:

- a) parking for vehicles of site personnel, operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials;
- d) programme of works (including measures for traffic management);
- e) provision of boundary hoarding behind any visibility zones;
- f) construction of vehicle deliveries and hours of operation;
- g) vehicle routing;
- h) measures to prevent the deposit of materials in the highway;
- i) before and after condition surveys of the highway and a commitment to fund the repair of any damage caused;
- j) confirmation that construction vehicle movements to or from the site shall only take place between the hours of 09.15 and 16.45 hours, to avoid impacting on the strategic operation of the A23 Brighton Road at peak network times, nor shall the contractor permit any construction vehicles associated with the development at the site to be laid up, waiting in or on the verge of Brighton Road, outside of these times;
- k) on-site turning for construction vehicles and confirmation that only the approved details shall be implemented during the construction of the development;
- l) details and provisions to control and manage construction traffic and measures to prevent dust and debris from being blown or otherwise deposited onto the A23.

The construction of the development shall be carried out fully in accordance with the approved Construction Management Plan, unless approved otherwise in writing by the local planning authority.

- 4) The development hereby permitted shall not be first occupied until the amended access to 134 Brighton Road, with the realigned dropped kerb, reinstatement of full height kerb and verge in place of the closed access and installation of physical measures to prevent parking on the verge, hereby approved has been constructed and provided with a means within the private land of preventing water from entering the highway and visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction above 0.6m high.

- 5) The development hereby permitted shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to 134 Brighton Road, the depth measured from the back of the footpath (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected or planted within the area of such splays.
- 6) The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and exit the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
- 7) No operations involving the bulk movements of materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority to, so far as is reasonably practicable to prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.
- 8) The development hereby permitted shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:
 - a) The secure, level and covered parking of six bicycles within the development site;
 - b) Information to be provided to residents regarding the availability of and whereabouts of local public transport;Thereafter the approved cycle parking spaces shall be provided, retained and maintained to the satisfaction of the local planning authority.
- 9) The development hereby permitted shall not be occupied unless and until at least one of the available parking spaces has been provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector – 230v AC 32amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the local planning authority. Thereafter the fast charge socket shall be maintained in accordance with the manufacturers instructions and made available to all of the occupants of the development hereby permitted.
- 10) At no time shall any construction vehicles connected with the development of the site (including demolition) park or wait on the A23 outside of, or within close proximity of the property.
- 11) No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces, including fenestration and roof, 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.
- 12) No development above slab level shall commence until all details of hard and soft landscaping have been submitted to and approved by the local planning authority. These shall include all relevant scaled plans of existing and proposed hard and soft landscaping, tree removal, existing and proposed levels, other external works not dealt with elsewhere including boundary treatments, plus

soft landscape establishment schedules for a minimum of two years. Soft landscaping shall include full planting specifications, plant sizes and densities. These shall be co-ordinated with any tree protection requirements where required during the construction of the development. All these works shall be carried out and maintained in strict accordance with the approved details before the first occupation of the development hereby permitted or as otherwise as agreed in writing with the local planning authority.

- 13) Prior to the first occupation of the development hereby permitted details of the proposed refuse storage area shall be submitted to and approved in writing by the local planning authority and the scheme shall be carried out in accordance with the approved details. Thereafter the refuse storage area shall be permanently maintained for its stated purpose.
- 14) The proposed flat roofed area of the development hereby permitted shall not be used as a terrace or other amenity area without the prior written approval of the local planning authority.
- 15) The development hereby permitted shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the local planning authority. The statement shall detail how the development will:
 - a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day.
 - b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.

The development shall be carried out in accordance with the approved details and any measures specific to an individual dwelling(s) shall be implemented, installed and operational prior to their occupation.

- 16) All dwellings within the development hereby permitted shall be provided with the necessary infrastructure to facilitate connection to a high-speed broadband. Unless otherwise agreed in writing by the local planning authority, this shall include as a minimum:
 - a) A broadband connection accessed directly from the nearest exchange or cabinet;
 - b) Cabling and associated installations which enable easy access for future repair, replacement or upgrading.