



Appeal Decision

Site visit made on 14 December 2020

by David Cliff BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th January 2021

Appeal Ref: APP/L3625/W/20/3256749
110 Kingsley Road, Horley RH6 8AW

- 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 Lewis Tomkins against the decision of Reigate & Banstead Borough Council.
 - The application Ref 20/00562/F, dated 12 March 2020, was refused by notice dated 7 May 2020.
 - The development proposed is the erection of new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect upon the character and appearance of the area.

Reasons

3. The existing property is located at the end of a terrace of four dwellings, with its side elevation adjacent to Kingsley Road. It has an existing single storey side extension. However, there is an existing gap above ground floor level between the main flank elevation of the existing dwelling and the boundary with Kingsley Road. Other properties on this side of Kingsley Road, which either front onto or side onto the road, are generally set back from the edge of the pavement. This provides a degree of spaciousness between properties and the adjacent roads which contributes to the general form and order of this residential area.
4. The proposed two storey dwelling would be positioned with its side elevation very close to the pavement edge of Kingsley Road. Indeed, the front corner of the proposed property would directly adjoin the pavement. Whilst the existing side extension already projects to the side boundary, the low profile and modest height of the extension means that it does not appear as being prominent or visually intrusive within the street scene.
5. In contrast to the existing extension, the proposed dwelling due to its two storey height and positioning close to the side boundary, would appear as a visually intrusive and unacceptably cramped addition to the streetscene. The front corner of the dwelling would directly adjoin the pavement edge, with the flank wall tapered back from but still very close to the pavement. At two storeys in height, this would be out of keeping with the general character of the

residential development in the locality, with two storey dwellings mostly having a noticeable separation to the road.

6. The two storey flank wall of an extension at 97 Kingsley Road, to the north of the appeal property, is located very close to the pavement edge. Such a form of two storey development so close to the pavement edge and with no intervening verge is not typical of the general layout and character of the area. Furthermore, it is not an example that should inevitably be followed in the interests of achieving high quality design as sought by Policy DES1 of the Reigate and Banstead Local Plan Development Management Plan 2019 (LPDMP).
7. I have also been provided with details of a proposed two storey dwelling recently permitted at 65 Kingsley Road. That proposal leaves a significantly greater separation distance to the side boundary than the appeal proposal and it would sit more comfortably within the site. It therefore appears to be more sympathetic to the prevailing layout of the surrounding area than the appeal proposal and not cramped within the streetscene. I have consequently given only limited weight to these other examples of proposed and existing forms of development. They do not provide significant justification for the development now proposed at the appeal site.
8. Whilst the appellant states that the proposed dwelling would project no further than the building line of the neighbouring dwellings to the east of the appeal site, these buildings are set a good distance back from the pavement edge, thus providing a good degree of visual separation from the road that would not be provided by the appeal proposal.
9. For the above reasons the proposed development would unacceptably harm the character and appearance of the area. It would be contrary to the design aims of Policy CS4 of the Reigate and Banstead Local Plan: Core Strategy July 2014 (the Core Strategy) and Policy DES1 of the LPDMP. It would also be contrary to the aim of the National Planning Policy Framework ('the Framework') to achieve well-designed places.

Other matters

10. I am satisfied that the above mentioned policies are generally consistent with the design aims of the Framework and there is no evidence before me to suggest that the relevant policies are out of date.
11. Whilst the proposal seeks to make the best use of the site and would provide for one new dwelling towards the supply of housing, such benefits would be outweighed by the harm I found would result upon the character and appearance of the area.
12. Whilst the Council has not raised any other harm including in relation to highway safety and residential living conditions, these are neutral matters and do not weigh significantly in favour of the appeal proposal.

Conclusion

13. The proposal would be contrary to the development plan as a whole and there are no other material considerations which outweigh this finding.

14. I therefore conclude that the appeal should be dismissed.

David Cliff

INSPECTOR