



Appeal Decision

Site visit made on 17 November 2020

by **David Cliff BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/L3625/D/20/3252792

Spur Cottage, 1 Drive Spur, Kingswood, KT20 6LR

- 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 Mrs Beverley Johnson against the decision of Reigate & Banstead Borough Council.
 - The application Ref 20/00278/HHOLD, dated 20 January 2020, was refused by notice dated 8 April 2020.
 - The development proposed is described in the application forms as 'demolition of existing garage. Proposed two storey side and rear extensions and proposed single storey rear extension with internal alterations'.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage, proposed two storey side and rear extensions and proposed single storey rear extension with internal alterations at Spur Cottage, 1 Drive Spur, Kingswood, KT20 6LR in accordance with the terms of the application Ref 20/00278/HHOLD and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 19-1797 030, 19-1797 010A, 19-1797 020 A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The development hereby permitted shall be carried out in accordance with the Tree Protection Plan Ref 1450-KC-XX-YTREE-TPPO1Rev0. The tree protection measures on this plan shall be installed prior to any development works and shall remain in place for the duration of all construction works

Preliminary Matter

2. The Appellant submitted a Tree Survey and Impact Assessment (including tree survey and Tree Protection Plan with the appeal). I therefore provided an opportunity for the Council to provide comments on this additional information. No further response has been provided by the Council on this matter and I have subsequently proceeded to determine the appeal on the basis of the information before me.

Main Issue

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

Reasons

4. The existing dwelling is located on the corner of Forest Drive and Drive Spur. The plan provided by the Council shows that a narrow section of the site adjacent to Forest Drive is within the Kingswood Warren and Glade Residential Area of Special Character (RASC).
5. The proposed two storey side extension would extend the overall massing of the dwelling closer to the side boundary with Forest Drive. Whilst it would be visible from Forest Drive itself, the ground floor level of the dwelling, and the proposed extension, would be set down from the adjacent ground level. Furthermore, there is an existing hedge on the boundary of the site which would be unaffected by the proposed development. This would serve to reduce the prominence of the side extension, particular when approaching from the east.
6. Whilst the extension would be more visible when approaching along Forest Drive from the west and would be closer to the road than most other buildings in the area, taking account of the differences in ground level and existing landscaping, it would not be of such prominence to be visually intrusive or to result in any significant harm to the streetscene or the special characteristics of the RASC.
7. Two protected Ash trees are located at the edge of the site within an area of raised ground behind a retaining wall, one of which is located close to the proposed side extension. As the trees are located behind the retaining wall, the proposed extension would be able to be constructed without the risk of excavation works affecting the roots of these trees. Furthermore, taking account of the canopy spread and the height of the main branches of the nearest of the Ash trees, the extension should be capable of being constructed without the need for any significant pruning.
8. Although the nearest Ash tree would be close to the proposed side extension, from my observations on site, I do not consider that the proximity of the tree to the extension and its windows would be so close to lead to significant risk that future significant pruning or other works would need to take place. I am therefore satisfied that the proposals would not result in any significant harm to these trees and consequently there would be no resulting adverse impacts upon the general visual appearance of the site within the surrounding area.
9. The proposal would not result in any significant harm to the character and appearance of the area, including the RASC. It would satisfactorily accord with Policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan 2019.
10. Given the fairly modest nature of the proposed extension to an existing dwelling, subject to general site management and environmental controls, it is not likely to result in significant disturbance to neighbouring properties or the highway during construction works. The Council has not suggested any condition in respect of construction management and I do not consider the scheme to be of such magnitude or complexity to justify the imposition of such a condition.

11. An approved plans conditions needs to be imposed for the avoidance of doubt as to what has been permitted. A condition requiring materials to match those of the existing dwelling is necessary to safeguard the character and appearance of the area. I have also imposed a condition requiring adherence to the submitted Tree Protection Plan to ensure that the existing trees are safeguard in the interests of the visual amenity of the area. This is similar to the Council's suggested condition and would ensure that the measures shown on the appellants' s plan are implemented. It has not therefore been necessary to refer back to the parties on the wording of this condition.
12. I conclude that the appeal should be allowed.

David Cliff

INSPECTOR