



Appeal Decision

Site Visit made on 17 March 2021

by H Miles BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/L3625/W/20/3259755

Prospect Wells House, Outwood Lane, Chipstead CR5 3NA

- 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 Prospect Wells House Ltd against the decision of Reigate and Banstead Borough Council.
 - The application Ref 19/01825/F, dated 6 September 2019 was refused by notice dated 6 August 2020.
 - The development proposed is demolition and comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a shop (Use Class A1) at ground floor with 10 residential units (Use Class C3) at first and second floors, car parking, landscaping and associated works.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. During the course of this appeal a Unilateral Undertaking (UU) has been submitted which includes a parking monitoring contribution. I will return to this matter later in this decision.

Main Issues

3. The main issues are the effect of the proposed development, with particular regard to the car parking arrangements, on
 - Highway safety
 - Whether the proposed development would provide a high standard of living conditions for future occupiers,
 - The character and appearance of the area.

Reasons

Highway Safety

4. The Council indicated that if a UU is found to be acceptable during the course of the appeal, the third reason for refusal which relates to on street parking would not be contended. However, although a UU has been submitted I have not received any confirmation from the Council that they no longer wish to pursue the third reason for refusal. Therefore, I address this matter below.
5. The Local Plan states that the proposed development should provide a maximum of 33 car parking spaces. 29 car parking spaces are proposed. On

this basis the proposed development is likely to result in a maximum of 4 vehicles overspill parking onto the surrounding highways.

6. A parking survey detailing on street parking available within 500m of the site has been submitted which shows that there is some capacity. However, the survey extends beyond a 200m walking distance where people may want to park. Furthermore, it appears to include main roads (such as Outwood Lane) where parking would block part of the busy carriageway. These would not be attractive places to park and would also lead to localised congestion and subsequent harm to highway safety. Nor does it take into account the time sensitive parking associated with the nearby school. Consequently, I afford limited weight to these findings.
7. The UU secures a Parking Monitoring Contribution of £3,000. It is indicated in the Council's evidence that this money would be put towards reviewing parking restrictions on the roads within 200 metres of the development for a period of up to three years full occupation of the site if parking ever becomes a problem on the roads surrounding the site.
8. However, the UU includes limited information as to how this money would be spent and it has not been detailed as to how the figure of £3,000 has been reached. Furthermore, a review in itself would not mitigate the adverse impacts described above. Consequently, it has not been demonstrated that the UU would make the development acceptable in planning terms, nor that the Parking Monitoring Contribution would be fairly related in scale and in kind to the development. As such it does not pass the tests and therefore cannot be taken into account.
9. Based on the evidence before me, I am not persuaded that the surrounding highway network could safely accommodate the overspill parking from the proposed development.
10. Consequently, the proposed development would have a harmful effect on highway safety. As such it would be contrary to Policy TAP1 of the Reigate and Banstead Local Plan Development Management Plan (September 2019) (the Local Plan) which states that planning applications which have an unacceptable impact on highway safety will not be looked upon favourably.

Living Conditions for future occupiers

11. Policy DES5 of the Local Plan sets out a requirement that all new residential developments must provide good living conditions for future occupants. It goes on to set further criteria as to how this could be achieved, however there is no indication that this is a closed list of matters.
12. The proposed car parking arrangements would result in occasions where a car would have to move to allow the one behind it to leave. Due to the cramped layout of the car parking area, these situations can involve a lot of manoeuvres making them inconvenient for occupiers. Consequently, the development would not function well.
13. It would be possible for cars to manoeuvre into the tandem and triple car parking spaces in a forward gear. However, given the number and accuracy of the manoeuvres required it would not be particularly easy or convenient. Furthermore, if any cars were larger than the 'medium' car referred to in the evidence, such movements would be even more difficult.

14. Spaces would be allocated so that occupiers would not block in cars that are not in their household, which would avoid potential conflict between occupiers of different units. I have also taken into account that the Highways Authority have not objected to this proposed arrangement.
15. Nevertheless, this does not persuade me that comings and goings from this car parking area would provide acceptable circulation and manoeuvring space for the car parking layout proposed so as to provide a good standard of living conditions for future users.
16. My attention is drawn to a development at Cherryleen, Kingswood (LPA ref: 18/01742/F) which includes tandem parking. However, in this case the space around the tandem spaces and therefore the associated manoeuvres appear to be notably different than that proposed. Consequently, this would not be directly comparable to the scheme before me now.
17. Therefore, the proposed development, with particular regard to the car parking area, would not provide a high standard of living conditions for future occupiers. Accordingly, it would be contrary to Policy DES5 of the Local Plan, the aims of which are set out above.

Character and Appearance

18. The proposed car parking area to the rear of the site is currently hardstanding and I understand it was previously used for commercial storage and car parking. It has a change in levels and planting to the rear and a grass verge with mature trees to Rectory Lane. Although these are outside the site boundary, they limit the visibility of the site in public views.
19. The proposed development would broadly maintain the existing functional use and appearance of this part of the site, although it would incorporate some limited soft landscaping to this area. It would also be possible to introduce additional screening as part of the boundary treatment via condition. As such the proposed development would broadly maintain the existing appearance, with a small, but positive, contribution of additional planting.
20. Therefore, the proposed development, with particular regard to the car parking area, would not have a harmful effect on the character and appearance of the area. Consequently, it would not be contrary to policy DES1 of the Local Plan which seeks that development should make a positive contribution to the character and appearance of its surroundings, amongst other things.

Other Matters

21. It is not in dispute between the main parties that the proposed development would not be inappropriate development in the Green Belt. Based on the evidence before me, I agree with this conclusion.
22. The proposed development would result in social, economic and environmental benefits associated with new commercial and residential development. I am not presented with specific localised evidence that the Covid 19 pandemic has affected the supply of new homes in this area. Nevertheless, the government's objective of significantly boosting the supply of homes remains and the provision of 10 new dwellings, close to services and public transport is a benefit of the proposal.

23. The development would provide a new retail unit close to existing residents, encouraging trips by sustainable modes of transport and creating 17 full time equivalent jobs. It would result in an increased spend in the local area from new residents and direct and indirect jobs during the construction period, albeit these would be temporary. It would also develop this vacant site.
24. On the other hand, the proposed development would provide an inadequate quality of living for future occupiers. It would also result in harm to highway safety with, potentially, severe consequences. Accordingly, taking all the above into account, the modest public benefits would not outweigh the permanent serious harms set out above.

Conclusion

25. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR