The Planning Inspectorate

# Appeal Decision

Site visit made on 20 September 2021

**by Robert Parker BSc (Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 November 2021**

**Appeal Ref: APP/L3625/D/21/3271164**
**Elm House, 61 Somerset Road, Redhill RH1 6ND**

- 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 Peter Martin against the decision of Reigate & Banstead Borough Council.
- The application Ref 20/02253/HHOLD, dated 17 October 2020, was refused by notice dated 15 January 2021.
- The development proposed is replace two front to back parking spaces with two side by side parking spaces including associated excavation works and extending the dropped kerb. To also include two curved walls to surround the parking spaces and infrastructure for Electric Vehicle Charging Points.

## Decision

1. The appeal is allowed and planning permission is granted to replace two front to back parking spaces with two side by side parking spaces including associated excavation works and extending the dropped kerb. To also include two curved walls to surround the parking spaces and infrastructure for Electric Vehicle Charging Points at Elm House, 61 Somerset Road, Redhill RH1 6ND in accordance with the terms of the application, Ref 20/02253/HHOLD, dated 17 October 2020, subject to the conditions set out in the attached schedule.

## Main Issues

2. The main issues are:

   a) the effect of the proposal on the character and appearance of the appeal property and the wider area; and

   b) the effect on biodiversity.

## Reasons

3. No 61 Somerset Road is a locally listed building. This attractive, double-fronted period property is elevated above the street behind a grass bank. The bank was unkempt at the time of my visit, with uneven ground levels, overgrown grass and some of the land in use for the temporary storage of building materials. I understand that prior to 2015 there was a pathway and set of steps leading up to the front door. Parking for the property is on a sloping driveway at the northern end of the site frontage. This can accommodate 2 cars in a tandem arrangement, dependent on vehicle length, but the steep gradient makes it more convenient to use for a single car.

4. The proposal is to relocate the parking to the centre of the site frontage. The new hardstanding would be wide enough for two vehicles to park side by side. The surfacing would slope gently upwards away from the road and there would be a retaining wall, ranging between 1.0 m and 1.2 m in height and slightly raked, to the rear. This would curve around the sides to meet a brick wall at the back edge of the pavement. A short section of this wall at the northern end of the site frontage would be new. Each of the new parking spaces would be provided with an electric vehicle charging point.

5. The Council has concerns over the appearance of the new hardstanding and retaining walls. However, the walls would be modest in height and this means that they would not dominate the site frontage. The plans show soft landscaping surrounding the parking spaces and this would provide some visual relief. The attractive building façade would remain the primary focus above the parked cars – these cars would be less prominent than a vehicle parked on the existing elevated driveway. I therefore consider that the proposal would not harm the setting of No 61 as a locally listed building.

6. Most of the houses along this stretch of Somerset Road have parking to the front of the dwelling. This includes a number of period properties where construction of parking areas has involved excavation. The Council advises that the works to the frontage of White Lodge at 57 Somerset Road were carried out without planning permission around twenty years ago. If that is the case, it is likely that they will be immune from enforcement action. Bearing in mind the urban character of the surrounding area, and the nature of other driveways in the vicinity, I do not consider that the proposal would be detrimental to the wider street scene.

7. Particular concerns are raised over the use of flint for the retaining walls. The Conservation Officer contends that this material is out of character with the green sand ridge location, but the Reigate and Banstead Local Distinctiveness Guide (2004) does not preclude its use in Redhill. Furthermore, I note that the original front path was flanked on either side by flint walls. Given this precedent, the principle of using flint for the low retaining walls is acceptable.

8. I turn now to the second main issue. There is no substantive evidence to demonstrate that the existing grass bank has any particular biodiversity value. Even in its previous guise as a manicured front lawn it is unlikely that there would be any significant wildlife interest. The proposed soft landscaping would provide some limited opportunities for enhancing biodiversity.

9. Accordingly, I conclude that the proposal would not cause material harm to the character and appearance of the appeal property, the street scene or biodiversity interests. There would be no conflict with Policies NHE9 and DES1 of the Reigate and Banstead Local Plan Development Management Plan 2019 insofar as they seek to protect heritage assets and secure high quality design that makes a positive contribution to the character and appearance of its surroundings.

**Conditions**

10. In addition to the standard commencement condition, I have attached a condition specifying the approved plans to provide certainty. I have considered whether pre-commencement conditions are necessary in relation to materials. The appellant has indicated that the walls would be constructed using concrete blocks and faced with knapped flint, with reclaimed bricks used from elsewhere

on the site (as per a section of wall which has already been rebuilt at the southern end of the site frontage). I noted the stockpile of reclaimed bricks during my site visit. This information gives me confidence that the finished appearance of the walling would be acceptable without the requirement for any further approval process under a planning condition. The Council's suggested condition in respect of brick bond is necessary and reasonable, and I note this is accepted by the appellant.

11. I have also considered whether it is necessary to seek details of the planting surrounding the proposed parking area. Such details have not been suggested by the Council and I am minded to accept the appellant's view that this level of detail would be too prescriptive.

12. The Highway Authority has requested a condition to secure visibility zones but this is not necessary as the sightlines for drivers exiting the site would be adequate and comparable with other driveway entrances in the locality. Planning permission would be required to increase the height of the walls either side of the entrance to the parking area.

**Conclusion**

13. For the reasons given above I conclude that the appeal should be allowed.

*Robert Parker*

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:

- Location Plan
- Site Levels – Proposed and Existing
- Block Plan – Proposed Development
- Proposed Layout
- Front Elevation – Proposed
- Cross Section A through existing and proposed front path
- Cross Section B – Proposed
- Cross Section C

3) All brick bond shall be Flemish garden wall bond or Flemish bond to match existing.

*** END ***