



Appeal Decision

Site visit made on 5 January 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 JANUARY 2022

Appeal Ref: APP/L3625/W/21/3273011

Tuckaway, Warren Drive, Kingswood KT20 6PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr & Mrs Slate against the decision of Reigate & Banstead Borough Council.
 - The application Ref 20/02687/F, dated 26 November 2020, was approved on 12 March 2021 and planning permission was granted subject to conditions.
 - The development permitted is the construction of a 6 bedroom detached dwelling with integral double garage following the demolition of the existing house and garage, along with the construction of a detached garden golf room. As amended on 16/01/2021, 21/01/2021, 28/01/2021 and on 24/02/2021.
 - The condition in dispute is No 3 which states that: Notwithstanding the drawings, the proposed external finishing materials and details shall be carried out using the external facing materials and details specified below and there shall be no variation without the prior approval in writing of the Local Planning Authority;
 - a) The roofs shall be of plain clay tiles with bonnet tiles to hips and hogsback ridge tiles, details of which shall be submitted to and approved in writing by the Local Planning Authority before any work above ground floor slab level.
 - b) There shall be no stone surrounds, architraves or hoods to the windows.
 - c) There shall be no quoins.
 - d) The gate piers shall be no more than 2 and a half bricks width and solely of dark handmade sandfaced brick with no stone detail except the coping and set back behind the depth of the entrance hedge.
 - e) Details of the brickwork shall be submitted to and approved in writing by the Local Planning Authority before any work above ground floor slab level.
 - The reason given for the condition is: In order to maintain the character of the area to accord with Reigate & Banstead Development Management Plan September 2019 Policies DES1 (Design of New Development) and DES3 (Residential Areas Special Character).
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Decision

1. The appeal is allowed and the planning permission Ref 20/02687/F for the construction of a 6 bedroom detached dwelling with integral double garage following the demolition of the existing house and garage, along with the construction of a detached garden golf room. As amended on 16/01/2021, 21/01/2021, 28/01/2021 and on 24/02/2021 at Tuckaway, Warren Drive, Kingswood KT20 6PY granted on 12 March 2021 by Reigate & Banstead Borough Council, is varied by deleting condition 3 and substituting it for the following condition:

3) No development shall take place above ground floor slab level until the following information has been submitted to and approved in writing by the Local Planning Authority:

- i) Details and materials of roofs, which shall be of plain clay tiles with bonnet tiles to hips and hogsback ridge tiles;
- ii) Details and materials of surrounds, architraves and/or hoods to the windows;
- iii) Materials for the gate piers;
- iv) Details and materials of brickwork;

There shall be no quoins.

The development shall be carried out in accordance with the approved details.

Preliminary Matters

- 2. The Reigate & Banstead Borough Council Local Character and Distinctiveness Design Guide Supplementary Planning Document (the SPD) is dated June 2021, after the decision on this planning application was made. However, both main parties have had the opportunity to comment on the SPD. I have taken this document into account in my reasoning below.

Main Issue

- 3. Planning permission was granted for a new dwelling which included a condition specifying external facing materials and detailing. The parts of the condition specifying details of the roof tiles and requiring submission of details of the brickwork are not in dispute. However, the appellant is seeking to remove the requirement restricting window detailing, quoins and specifying alternative details for the gate piers.
- 4. The main issue is therefore the effect that varying the condition would have on the character and appearance of the area.

Reasons

- 5. Warren Drive is within the Kingswood Warren and The Glade Residential Areas of Special Character (RASC) and is characterised by substantial detached houses set in generous plots. In the vicinity of the appeal site the character of these properties is varied and include arts and crafts, neo-classical and other styles. Boundaries to the road are generally hedging with metal gates to the driveway, and some have brick piers. Tuckaway is located to the rear of the dwellings known as Kings Oak and is adjoined by other backland dwellings at Wynwood House and Hayward House. The appearance of the existing house is of a substantial two storey property with second floor accommodation mostly contained within the roofslope.
- 6. Together policies DES1 and DES3 of the Reigate and Banstead Local Plan Development Management Plan September 2019 (the Local Plan) set criteria for high quality design including promoting and reinforcing local distinctiveness and respecting the character of the surrounding area, and the use of high quality materials and detailing with particular reference to RASCs. Furthermore, the SPD provides guidance for design specific to RASCs. Of relevance to this appeal it states that gate piers should be no more than 2 bricks wide. Gates should be set back at the back of the hedge line. White render or stone piers

are not suitable. It further states that monumentalism is a problem where features are used to increase the visual scale of houses.

7. The approved drawings show a dwelling with a generally neo-classical appearance. The corners of the building are shown in brick, flush with the elevations, although there is what appears to be a full height vertical brick join close to the corners. Detailing is shown to the window surrounds, albeit that the material is not annotated. The gate posts are shown level with the front boundary and are annotated to be in brick approximately 0.8m wide and deep. The approved drawings represent an appropriate outcome to achieve a building which would not be excessively detailed, resulting in an acceptable appearance to the surrounding area taking into account the characteristics of this particular site.
8. Contrasting, protruding quoins are not shown. Such detailing, in combination with the other detailing shown, would have the potential to result in an overly ornate appearance to the building which would harmfully increase the perception of its size, scale and appearance. Consequently, in these circumstances, a condition excluding the use of quoins is necessary and reasonable. Nevertheless, it is not in dispute that a condition to provide details of the brickwork should be attached.
9. The surrounds, architraves and hoods to the windows shown in the approved drawings would not appear to be excessively detailed and would be appropriate to the style of building proposed. Nor would they increase the visual scale of the house. Nevertheless, given the limited details shown on the plans it is reasonable and necessary for the Council to approve the detail of the windows, including the materials of the surrounds, architraves and hoods.
10. The majority of the proposed gate piers would be 3 bricks in width, albeit with a larger base. They are shown in brick with stone coping, and a single stone panel to each pier. This would contradict the guidance in the SPD. However, whilst their size and position would be prominent in the streetscene, taking into account the scale of this element along with the existence of other similar brick piers in the locality, this would not result in the proposed development being unacceptably harmful to the character and appearance of the area. As such a condition requiring alternative details for the gate piers would be unnecessary, although as the specific materials are not shown in the approved drawings it would be reasonable and necessary to require this information is submitted.
11. The wording of the condition suggests that other variations could be made with the written approval of the local planning authority. However, this creates a risk that further changes could be sought outside the statutory process which may deprive third parties of the opportunity to comment. As such this wording is unreasonable and should be amended.
12. Therefore, the condition is onerous in its requirements in relation to the details of the window surrounds and the gate piers. Consequently, the condition should be varied to require submission of details and materials for the windows, and materials for the gate piers, as set out above. This would result in a development that would have an acceptable effect on the character and appearance of the area, and would be in accordance with policies DES1 and DES3 of the Local Plan and the guidance in the SPD, which are set out above.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed and condition 3 should be replaced with the amended condition set out in my formal decision.

H Miles

INSPECTOR