



Appeal Decision

Site visit made on 11 January 2022

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2022

Appeal Ref: APP/L3625/D/21/3277688

The End Cottage, Hurst Drive, Walton on the Hill KT20 7QT

- 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 Barry Holmes against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/00725/HHOLD, dated 20 March 2021, was refused by notice dated 17 May 2021.
 - The development proposed is alteration of the existing roofline for loft conversion with 2 new frontal dormers, 1 new lateral dormer and 2 new dormers at the rear, with front partial one-storey extension for garage and new porch and one-storey extension with hanged roof at the rear.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised Framework¹ was published by the Government between the determination of the planning application and the appeal coming before me. It does not raise any new considerations in relation to this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The existing dwelling could be described as a chalet bungalow. The main parties appear to be in agreement that the building's appearance derives from it originally being the chauffeur's cottage to a house which has since been demolished. As a result, it is something of an anomaly within the immediate vicinity, where other buildings are generally large, two storey dwellings sitting within generous plots. As a result, and together with the area's extensive boundary planting and prominent mature trees, the prevailing character is spacious and verdant.
5. Partly as a result of these characteristics, Hurst Drive has been identified by the Local Plan² as being a Residential Area of Special Character (RASC). Policy DES3 of the Local Plan seeks to ensure that new development within the RASC does not harm the distinct character of the area. Amongst the factors the policy

¹ National Planning Policy Framework (2021)

² Reigate and Banstead Local Plan Development Management plan (2019)

identifies as helping to meet this objective is ensuring that development is of an appropriate design; its size, scale and mass respects the form of neighbouring buildings; and that spacing between buildings is not eroded or leads to an over-dominance of the built form within the plot.

6. The proposal would not increase the building's height. However, in broad terms there would be extensive remodelling, mainly of the roof, with new dormers to the front and a large crown roof replacing the existing central valley and dormers in order to facilitate an extension and new dormers to the rear. Some of the building's existing character and detailing would be lost as a result of the works.
7. The existing building is positioned close to the site's south western boundary with Charlwood House. As a result of the depth of the extension together with the increased bulk of the new roof, the space between these two buildings would be noticeably reduced. This would create a close physical relationship between the buildings which would be out of keeping with the more spacious character of the area. The number of proposed rooflights on the south western elevation appears to derive from the length of the extension and the design of the proposed roof. However, this gives the enlarged dwelling a more dominant appearance, which adds to the uncomfortable relationship between the two buildings.
8. Accordingly, the proposal would undermine some of the intrinsic qualities of the RASC and so harm the character and appearance of the area. As such, it would be contrary to Policies DES1 and DES3 of the Local Plan and Policy CS4 of the Core Strategy³ which, amongst other things, require new development to respect the prevailing character of the area and that space between buildings within the RASC is not eroded. This approach is reflected in the Council's Supplementary Planning Guidance⁴, the Design Guide⁵ and the emerging Design Guide⁶.

Other Matters

9. Third parties have raised, amongst other things, whether the proposed development would cause harm to the living conditions of the occupants of Charlwood House. I am aware of the Council's findings in this regard. That said, if I were to find that the appeal scheme would not cause harm to the living conditions of these neighbours, my conclusions on the effect of the proposed development on the character and appearance of the area would not change and, subsequently and by association, neither would the outcome of the appeal.
10. The review and status of the RASC has been queried by the appellant, particularly in the light of Government publications. However, the RASC is set out within a recently adopted development plan, to which I am required to have regard. Whilst the Government has published proposals for planning reforms, they do not override the statutory duty in relation to the development plan. Whilst each case must be determined on its own merits, it is also important to ensure that it is the development plan process which tests the evidence and establishes the basis for policies in the development plan.

³ Reigate and Banstead Local Plan: Core Strategy (2014)

⁴ Supplementary Planning Guidance Householder Extensions and Alterations (2004)

⁵ Local Distinctiveness Design Guide (2004)

⁶ Local Character and Distinctiveness Design Guide Supplementary Document (2021)

Accordingly, the matters raised in this regard do not alter my findings in relation to the main issue of this appeal.

11. The appellant points to a number of factors in favour of the proposal including that the existing building is not locally listed nor is it within a conservation area. It is also highlighted that the works would upgrade the building without impinging on the wider streetscape, there is no impact on neighbours in terms of light or overshadowing and the extension avoids overhanging the neighbour's boundary. However, these factors would represent a lack of harm which would accordingly be neutral in any balance.
12. The appellant points to the building's permitted development rights, which it is said, could allow for a rear extension. However, there is no Certificate of Lawful Development before me and regardless of this, such rights would not provide for an extension comparable to the appeal scheme. As such, I afford this matter limited weight.
13. The appellant highlights other developments which have been undertaken in the vicinity which are said to result in a greater density of development than the proposed scheme. However, I do not have the details of those schemes before me and therefore cannot be sure that they represent a direct parallel. In any case, I have determined the appeal on its individual merits with regard to the specific circumstances of the site and its surrounds.

Conclusion

14. The proposal would harm the character and appearance of the area in conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR