



Appeal Decision

Site visit made on 26 October 2021

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2022

Appeal Ref: APP/L3625/W/21/3280913

29 Woodlands Road, Redhill RH1 6EY

- 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 A Elshaw (Beaufort Homes Ltd) against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/00413/F, dated 18 February 2021, was refused by notice dated 13 July 2021.
 - The development proposed is the construction of two detached four-bedroom houses including access road and parking/landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of two detached four-bedroom houses including access road and parking/landscaping at 29 Woodlands Road, Redhill RH1 6EY in accordance with the terms of the application, Ref 21/00413/F, dated 18 February 2021, subject to the conditions in the attached schedule.

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 appeal site comprises an existing detached, two storey dwelling which is said to date from the late 19th century. The majority of houses in Woodlands Road appear to date from a similar period although there has been more recent infill development in the area, including some 'backland' development, and thus there is a variety of property types and styles. Buildings are generally two or three storeys in height and have either a brick or render finish with pitched tiled roofs. Buildings are generally set back within their plots and have low boundary treatments and mature boundary planting, which together with the provision of largely generous rear gardens gives the area a suburban but spacious character to which the appeal site positively contributes.

¹ National Planning Policy Framework (2021)

5. The proposed development would create two detached dwellings in the garden of 29 Woodlands Road. The dwellings have been designed to replicate a similar appearance to the host property, utilising a brick finish with hanging tiles to the first floor elevations. Whilst the front gable would be wider than the gables on other, older properties in the area, the proposed buildings overall would generally complement the styling of built form in the vicinity.
6. The accommodation would be provided over two floors, with the second floor accommodation partially contained within the roof space in order to minimise the height of the buildings. In addition, given their depth, crown roofs have been used which would further help to limit the overall height of each dwelling.
7. Access to the houses would run alongside the site's boundary with 31 Woodlands Road and 2 St John's Road. Some minor works to 29 Woodlands Road itself would be necessary to facilitate the access. The host property's rear garden, which is currently well screened and secluded, would be flanked on one side by the access road. The proposed parking area would be set away from the rear boundary of the host property. Accordingly, there would be some alteration to the feel of the enclosure of this currently generous garden.
8. Car parking and a turning area would be to the front of the proposed dwellings. These arrangements, together with the access onto Woodlands Road have been deemed acceptable by the Highway Authority subject to condition. I have no evidence to disagree with their conclusions. Whilst the parking/turning area would be a sizable area of hardstanding, it would not be overly dominant. The rear gardens serving the proposed dwellings would be smaller than many of those in the vicinity of the site, but the overall space provided for each dwelling would be reasonable for a 4 bedroom dwelling. The plots would be slightly smaller but comparable to the retained plot of the host property. The space between the new dwellings would be comparable with properties in the vicinity. As such the development would not appear unduly cramped in comparison to the prevailing character.
9. The dwelling on Plot 1 would, according to the Council, be some 1.7m from the boundary with 27 Woodlands Road at its closest point. However, the building would be positioned so that its closest point to the boundary would be towards the rear of the site. The building would thus be orientated so that it did not directly overlook the garden to this neighbour. There would be a reasonable separation distance between the front of the proposed dwellings and the rear elevation of 29 Woodlands Road and its rear garden.
10. The development would be at a higher ground level than the houses on St. John's Road, which back onto the site. Notwithstanding any retained or supplemented planting along the shared boundary, the flank elevation of Plot 2 would be visible to these neighbours. Although the depth of this elevation is slightly greater than that proposed in the previous scheme for three dwellings, the building would be set further away from the boundary and importantly would have a lower overall height. Whilst the development would be visible to neighbours, assessing the scheme on its own particular merits, I am satisfied that it would not be so overbearing as to be harmful to the occupiers of 8 and 10 St John's Road.
11. The proposal would alter the character of the site and would alter its relationship with its neighbours. However, for the reasons given above, I find that the proposal would not appear unduly cramped or create a sense of

overdevelopment and thus would not cause demonstrable harm to the character and appearance of the area.

12. Accordingly, the proposal would comply with Policies DES1 and DES2 of the Local Plan² which, amongst other things, seek to ensure that development, particularly development of residential garden land, respects the character of an area. In this respect the proposal accords with Paragraph 130 of the Framework which, amongst other things, seeks to ensure development is sympathetic to local character.
13. The reason for refusal refers to the Local Distinctiveness Design Guide Supplementary Planning Guidance, whereas I have been provided with the Local Character and Distinctiveness Design Guide Supplementary Planning Document (2021). However, guidance must accord with development plan policies generally and I note that the latter document does reflect the wider policy objectives of the Local Plan. Accordingly, as I have found the proposal to comply with the relevant development plan policies, I am satisfied that it would be in broad compliance with the guidance.

Other Matters

14. Concerns have been raised, particularly by interested parties, regarding surface water and drainage issues. Given the topography and ground conditions there are reasonable concerns that surface water run-off might compromise neighbouring properties. I also note the site is next to an existing railway cutting. Accordingly, it is important that sufficient evidence and details are provided in order to allay these concerns and ensure the development would not cause problems in this regard. I am satisfied that a sufficiently robust condition could be attached to any permission, which would require the necessary information to be submitted to and agreed by the Council, prior to the commencement of any development.
15. The proposal would result in the loss of some trees on site, but none are protected trees. Along certain boundaries it will be necessary to ensure that appropriate replacements are planted and that works on site protect those that are to be retained. This will protect both the landscaping of the site and provide screening to neighbours. This can be controlled through appropriate planning conditions.
16. The site is not subject to any formal ecological designations but a Preliminary Ecological Appraisal (EPA), undertaken by David Archer Associates and dated December 2020, has been submitted in support of the proposal. The EPA's recommendations can be incorporated into the wider landscaping proposals for the site and controlled through appropriate planning conditions.
17. Other developments in the area which have been refused planning permission have been brought to my attention. However, I do not have the full 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 own merits.

Conditions

18. In addition to the standard time limit condition, a condition is required in the interests of certainty that lists the approved plans.

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

19. The Highway Authority has not objected to the scheme, subject to the imposition of certain conditions. Due to the relatively narrow width of Woodlands Road and the provision of on-street parking, a Construction Transport Management Plan will be necessary to avoid inconvenience to other road users and undue disturbance to neighbours. This will therefore need to be agreed prior to the commencement of development. Conditions securing the necessary access, parking and visibility splays for the new dwellings will need to be implemented prior to occupation.
20. Given the ground conditions; the site levels relative to neighbouring properties; the nearby railway line; and the increased levels of hard surfaces on the site, it is reasonable and necessary to ensure that surface water drainage details are provided and implemented. Such details clearly need to be established before construction can commence.
21. A landscaping scheme is necessary to ensure that the boundaries with existing neighbours are suitably protected and enhanced and that the character of the area is retained. This will necessarily include details of any hard landscaping and boundary treatments but also details of trees to be retained and protected. Such protection measures will need to be agreed prior to the commencement of development. It is also reasonable for the landscaping scheme to take into account the enhancements set out in the PEA in support of the proposal.
22. Given the importance I have attached to the design and appearance of the dwellings it is necessary to ensure the precise external materials and window details are agreed with the Council. Similarly, given that these are large dwellings which have been designed to not harm the wider area or neighbours, it is reasonable and necessary for the Council to retain control over any future changes and extensions to them. Also, to protect the character and appearance of the existing dwelling, a condition addressing the repair works to the host property will be necessary.
23. Measures relating to water and energy efficiency, car charging, refuse collection point are necessary in order to accord with Local Plan policies. A condition requiring the provision of broadband facilities would accord with the objectives of paragraph 114 of the Framework.

Conclusion

24. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Stewart Glassar

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 approved plans listed below:
 - 2007A/PL 01 Location Plan
 - 2007A/PL 02 Block Plan
 - 2007A/PL 03 Site Plan
 - 2007A/PL 04 Floor Plans
 - 2007A/PL 05 Plot 1 Elevations
 - 2007A/PL 06 Plot 2 Elevations
 - 2007A/PL 08 Site Sections

David Archer & Associates Preliminary Ecological Appraisal (December 2020)
- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.]
- 4) No development shall take place until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of any boundary hoarding behind visibility zones
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) construction hours

The approved details shall be fully implemented during the construction of the development.
- 5) No development shall take place until details of the design of a surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The design must accord with the Sustainable Drainage Systems (SuDS) Hierarchy and be compliant with the national

Non-Statutory Technical Standards for SuDs (or an equivalent if replaced). The required drainage details shall include:

- a) Evidence that there is no risk of contamination through the infiltration SuDs
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, for all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 37.8l/s.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels and long and cross sections of each element including details of any flow restrictions and maintenance / risk reducing features (such as silt traps or inspection chambers)
- d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system
- f) A plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and offsite will be protected. This should include details of how surface water run-off entering the site will be intercepted.

The development shall be completed in accordance with the approved details and thereafter maintained.

- 6) The development hereby permitted shall not commence above slab level until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
- 7) The development hereby permitted shall not commence above slab level until details of the windows and their reveals, rainwater goods and guttering and bargeboards to be used in the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and thereafter retained.
- 8) The development hereby permitted shall not commence above slab level until details of the repair of the existing house (29 Woodlands Road) have been submitted to and approved in writing by the local planning authority. The repairs shall be carried out in accordance with the approved details prior to the occupation of the dwellings hereby permitted.
- 9) The development hereby permitted shall not commence above slab level until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The landscaping scheme shall include areas of hard landscaping, means of enclosure/boundary treatments and shall incorporate the requirements set out in Chapter 5 of

the Preliminary Ecological Appraisal (David Archer Associates) dated December 2020. The approved hard landscaping, the means of enclosure/boundary treatments and any requirements of Chapter 5 of the Preliminary Ecological Appraisal (PEA) that do not have a stated timescale within the PEA, shall be fully implemented prior to the occupation of the dwellings hereby permitted.

- 10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 11) The development hereby permitted shall not commence above slab level until details of a pedestrian inter-visibility splay measuring 2m by 2m on each side of the access to Woodlands Road, with the depth measured from the back of the footway and the widths outwards from the edges of the access, has been submitted to and approved in writing with the Local Planning Authority. The approved details shall be fully implemented prior to the occupation of the dwellinghouses hereby permitted and thereafter no obstruction to visibility between 0.6 and 2.0 metres in height above ground level shall be erected within the area of the splays.
- 12) The development hereby permitted shall not be occupied until the existing vehicular access to Woodlands Road has been revised in accordance with the approved plan numbered 2007 A PL 02.
- 13) The development hereby permitted shall not be occupied until space has been laid out within the site in accordance with the approved plan numbered 2007 A PL 02 for a minimum of 6 cars to be parked. Thereafter the parking area shall be retained and maintained for such purposes.
- 14) The development hereby permitted shall not be occupied until a scheme for the provision of facilities to enable the charging of an electric vehicle to serve each dwelling has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 15) The development hereby permitted shall not commence above slab level until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:
 - a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day; and
 - b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations

The development shall be carried out in accordance with the approved details and shall be implemented, installed and operational prior to occupation.

- 16) The development hereby permitted shall not be occupied until details of refuse storage and collection facilities have been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented and thereafter retained.
- 17) The development hereby permitted shall not be occupied until the highest available speed broadband infrastructure has been installed and made available for use.
- 18) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, E and F and Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by those Classes, other than that expressly authorised by this permission, shall be carried out to, or within the curtilage of, the dwellinghouses hereby permitted.
- 19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no first floor windows or rooflights other than those expressly authorised by this permission shall be constructed in the dwellinghouses hereby permitted.

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