



Appeal Decision

Site visit made on 8 February 2022

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2022

Appeal Ref: APP/L3625/D/21/3279026

Wheatcroft House, Forest Drive, Kingswood KT20 6LU

- 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 and Mrs Peak against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/01296/HHOLD, dated 7 May 2021, was refused by notice dated 2 July 2021.
 - The development proposed is a detached double garage. Associated landscaping works including new wall and gates.
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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.
3. I have used the description of development on the decision notice and appeal form, as this more accurately describes the extent of the proposal. However, it is not necessary for the date to be included as this does not reflect that for which planning permission is sought.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area; and the lack of arboricultural information.

Reasons

Character and Appearance

5. The appeal site lies within a Residential Area of Special Character (RASC). The supporting text to Policy DES3 of the Local Plan² notes that each RASC is unique and recognised for its own identity and character. However, each will generally include such factors as a low-density character with detached buildings set back from the road within spacious wide plots with mature landscaping and a general leafy character. The policy itself seeks to ensure new development respects the character of its area.

¹ National Planning Policy Framework (2021)

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

6. The appeal site and surrounding area broadly conform to these characteristics, with the properties being large, detached dwellings sitting within large plots and set back from their site frontages. Together with the grass verges and mature trees and planting within individual plots and along frontages the area has a spacious and verdant character to which the appeal property positively contributes.
7. The position of the houses within their plots and the topography of the area means that many properties in the vicinity of the appeal site have had to construct extensive driveways and areas of hardstanding, some with associated engineering operations. However, there is a noticeable absence of outbuildings positioned towards the very front of the plots. This contributes to the spacious character of the area. The property next-door to the appeal site is a notable exception, but garages elsewhere are positioned more discreetly. As such, I do not consider the garage serving Forestcroft House to be something which could be described as being characteristic of the area.
8. Whilst there are examples of entrance gates, boundary walls and fences within the vicinity of the site, the majority of properties generally appear to utilise trees and planting to create a means and sense of enclosure. I understand the appellants' point in relation to the use of the term 'urbanising', but this does not distract from the fact that the nature and style of the proposed means of enclosure would not reflect the prevailing character and appearance of site frontages in the area.
9. I accept that some properties have individual elements of what is proposed for the appeal property. However, the cumulative effect of seeking all of the different components of the proposal on the appeal site, in the form proposed, would accentuate the differences the site would have with the character and appearance of the area.
10. Accordingly, I find that the proposal would harm the character and appearance of the area. As such, it would be contrary to Policies DES1 and DES3 of the Local Plan which, amongst other things, seek to ensure development reflects the character of the area. I have also had regard to the Design Guide³, which broadly accords with these policy objectives.

Trees

11. The existing trees on the site frontage contribute to the overall verdant character of the area but do not appear to be of particular note in and of themselves. Given that an oak tree on the boundary is said to have been removed, and the remaining trees on the frontage are to be removed, a detailed arboricultural impact assessment, arboricultural method statement or tree protection plan would not be necessary in this instance. As a result, the proposal would not be contrary to Policy NHE3 of the Local Plan which, amongst other things, seeks to protect important and protected trees.

Other Matters

12. The appellants consider that the property is susceptible to break-ins and burglary and that security issues on the estate are an increasing problem. Whilst I have no reason to doubt these concerns, I also have no substantive information before me to demonstrate that there is a sustained or significant

³ Reigate and Banstead Local Distinctiveness Design Guide (2004)

increase in such crimes. It is also not clear what other strategies have been considered or are available to achieve a similar outcome without causing the harm to the character and appearance of the area that I have identified. Accordingly, I can give this matter only limited weight.

13. I have had regard to the site's planning history and acknowledge that a previous garage was permitted but that planning permission has now lapsed. I also acknowledge that some works, such as a low wall and extended areas of hardstanding could be permitted development. However, the works the subject of this appeal go significantly beyond what might be considered permitted development or which was previously granted planning permission. As such, they are very different from the scheme which is before me and therefore are matters to which I can attach only limited weight.
14. Whilst the proposed landscaping and green roof might represent an ecological improvement, soften the appearance of the boundary wall and help to reduce the visibility of the proposed garage, the structures would nevertheless be visible from certain viewpoints. I am also mindful that despite the ability to impose planning conditions, over time planting can too easily be removed, provide less protection at various times of the year or simply suffer disease and die. Planting and landscaping should therefore generally seek to complement a proposal and not in itself make an otherwise inappropriate development acceptable. As such, the proposed boundary planting and green roof in this instance are not reasons to allow the appeal.
15. The appellants point to the absence of harm to neighbours or the nearby conservation area. This would however be a lack of harm which would accordingly be neutral in any balance.

Conclusion

16. The proposal would harm the character and appearance of the area and would 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