



Appeal Decision

Site visit made on 6 June 2022

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1ST July 2022

Appeal Ref: APP/L3625/W/21/3281598

Rear of 8 Pilgrims Way, Reigate RH2 9LG

- 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 Moralee (Galaxy Ltd) against the decision of Reigate and Banstead Borough Council.
 - The application Ref 20/00900/F, dated 27 April 2020, was refused by notice dated 23 March 2021.
 - The development proposed is the erection of a single detached dwelling along with a pair of semi-detached dwellings (3 total), garaging, parking and gates with access from Brokes Road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Pilgrims Way and Beech Road Residential Area of Special Character (the RASC).

Reasons

3. The appeal site is most of the open, undeveloped garden to the rear of a detached house at No 8 Pilgrims Way. A narrow spur to the south includes a driveway and access to Brokes Road. This pocket of land is in the RASC, surrounded by houses and gardens in this suburb of Reigate.
4. The Council has designated the RASC because it is a valued townscape, amongst other things, distinguished by mostly individual, substantial detached houses in large, spacious landscaped plots at a low density of development. Previous infilling and back-land development within the RASC has been largely in-keeping with the overall character and appearance of the RASC and has added to local distinctiveness in a positive way. The proposal would sub-divide the main body of the site into three plots for one detached and two semi-detached houses, each with detached garages.
5. In the context of the RASC, most houses are detached and the pair of semi-detached houses would be an uncharacteristic house type. Having regard to the size and grandeur of all three proposed houses, the width of each plot, in particular for the two semi-detached houses, would be relatively narrow and all three rear gardens would be relatively short. Notwithstanding the side garden space, the rear gardens would also be relatively small in area, as would each plot, giving a relatively high ratio of built footprint to plot size. House B and its

garage would occupy most of the width of its plot, leaving a narrow gap to house A. While the garage would be single storey this juxtaposition would nevertheless erode space between house A and the combined block of houses B and C, with all of these houses significant in scale and massing and in close proximity to each other. The setting of the houses at the front would be mostly hardstanding.

6. Even against the entire site area, the resulting density of development would be the equivalent of 12 dwellings per hectare (dph) and 12 plots per hectare (pph). While there is scope to alter density of development in the RASC, including so that it was higher, the magnitude of increase in this case would manifestly exceed the average density of residential development in the RASC (4.57dph) and the average density of plots (3.94pph). Excluding the long driveway, which already exists and would not be within any plot, density of development would increase further still.
7. Albeit that the proposal is for just three houses, its layout and arrangement would, therefore, be unduly cramped and incongruous in form and density. It would be at odds with the prevailing, more spacious pattern of residential development in this particular part of the RASC and in the RASC overall. This would have a significant negative impact on local distinctiveness.
8. The RASC covers a reasonably large area containing many dwellings, such that this residential development is not exactly the same. However, the small number of dwellings that I have been referred to in particular, and the nature of this development, is not representative of the RASC as a whole and/or has little or no meaningful visual or spatial relationship to the site. Moreover, residential development outside of the RASC, including next to, or near, its boundary, or that which is in a different RASC, is nonetheless not in the RASC and does not form part of its discrete, unique townscape.
9. Consequently, while the site is on the edge of the RASC, and the proposal would reflect some aspects of development in limited, localised parts of the RASC, or in these other locations outside of it, seeking to add to the incidence of such development to establish or reinforce a 'transition' between residential development inside and outside of the RASC is not an objective of the RASC. In this respect the proposal would unduly undermine and erode important, defining features of the RASC and thus its integrity overall, which is innately worthy of protection. These other examples of residential development, even though some are close by, are not, therefore, comparable and/or do not provide a suitable precedent or an appropriate context to justify the proposal.
10. An extant planning permission¹ (the EPP) would subdivide the (same) site into two landscaped plots for two large, detached houses each with a detached garage. The site area, overall build footprint and spacing of houses to site boundaries and adjoining dwellings is broadly similar to the appeal proposal. There is no apparent reason why the EPP could not be implemented or this development completed and this scheme is a realistic fall-back position.
11. The proposed redistribution on the site of an approximately equivalent overall two-storey scale and massing (albeit over three floors, including in the roof) and footprint of development would give a more apparent gap between the two main blocks of built form in views from Brokes Road.

¹ 20/02706/F

12. However, the EPP scheme has fewer and wider plots, larger rear garden areas and plot sizes, no garages between houses and appreciably less hardstanding with, likely, less parked cars on it. It has a significantly lower density of development (dph and pph). Its effect on spaciousness is, as a result, materially different insofar as it is less cramped, with a less intrusive and less urbanising effect across the appeal site overall. It better reflects enduring, defining features of the RASC. The EPP is not, therefore, comparable in these regards to the appeal proposal with a 50% increase in the number of dwellings and plots on the same site. It does not justify the proposed development or overcome the associated adverse impacts.
13. The site is on rising land but set back in-depth behind surrounding houses. Although part of the development could be observed from Brokes Road along the access drive, most of it would be screened by buildings, fences, trees or hedgerows. Nonetheless, the absence of greater public visibility does not overcome the intrinsic adverse impact on the RASC.
14. I have also been referred to two linked appeal decisions relating to a site elsewhere in the RASC². I note that Inspector's view on density of development as a measure. Nevertheless, in both cases a single dwelling would be provided on a plot significantly larger and more spacious than any of the three plots in the proposal before me. This development and these decisions are not, therefore, comparable. I have, in any event, considered the current appeal on its individual planning merits.
15. Taking all of the above into account, I find that the proposed development would cause significant harm to the character and appearance of the RASC. Consequently, it would not comply with Policies DES1, DES2 and DES3 of the Reigate & Banstead Local Plan Development Management Plan 2019 or with Policy CS4 of the Reigate & Banstead Local Plan Core Strategy 2014.
16. These policies include that development should respect, and make a positive contribution to, the character and appearance of its surroundings and reinforce local distinctiveness. It should also incorporate plot widths and spacing between buildings in keeping with that which prevails in the locality, having regard to the layout, density, plot sizes and building siting in the surrounding area. In this particular locality and in a RASC it should not result in a harmful erosion of the spacing between buildings, an over-dominance of built form within the plot or involve inappropriate sub-division of existing curtilages to a size below that prevailing in a RASC.
17. It would also fail to reflect guidance set out in the Council's Local Character & Distinctiveness Design Guide Supplementary Planning Document 2021.

Other Matters

18. In reaching my decision, I have had regard to the other representations made by interested parties, but none are determinative in this case. Moreover, the loss of a private view and the impact of development on property values are not material planning considerations. Whether there is a right of way between the site and Brokes Road for access to the proposed development would be a civil matter between the respective parties.

² APP/L3625/W/20/3250301 and APP/L3625/W/20/3258805

Planning Balance

19. While there is no evidence of a housing land supply shortfall, three family houses (or a net gain of one over the EPP) would make a modest contribution to housing provision in the Borough. This social benefit would be aligned with objectives of the Framework to significantly boost the supply of new homes, meet a specific housing need and make effective use of land, including on small windfall sites within existing settlements. There would be economic benefits from employment and supply of materials during construction works and environmental benefits from biodiversity enhancement. Accordingly, I give moderate weight to these considerations in support of the proposal.
20. New housing in the RASC is acceptable in principle and it is a sustainable location. The houses would be high quality in design, external materials and internal accommodation. There would be sufficient car parking, a suitable means of access in highways terms and acceptable levels of traffic. There would be no unacceptable adverse effect on the living conditions of the existing occupiers of nearby dwellings, including (subject to a suitable planning condition, for example to control hours of working) during construction works. Subject to other conditions, there would be no harm to important hedgerows or trees and new landscaping would include appropriate boundary treatments. The houses would incorporate sustainable construction and climate change measures and make satisfactory provision for refuse collection and drainage. The site is not at risk of flooding and is not in the setting of a listed building or in a Conservation Area or subject to any other planning policy designations. The absence of harm in these regards, and compliance with the Council's development plan and the Framework, are neutral factors in my decision.
21. However, the proposal would cause significant harm to the character and appearance of the RASC. This would conflict with the Council's relevant development plan policies and diminish the Council's aims in this regard. These policies are broadly consistent with objectives of the Framework to balance meeting housing needs with achieving well-designed places, including that development should add to the overall quality of an area, be sympathetic to local character and the surrounding built environment and maintain a strong sense of place using the arrangement of spaces and building types to create attractive and distinctive places to live. These factors weigh against the proposal and I give them substantial weight in my assessment.
22. Consequently, the proposal does not benefit from the presumption in favour of sustainable development and I consider that the adverse impacts would outweigh the benefits in this appeal.

Conclusion

23. The proposal would not accord with the development plan overall. There are no other material considerations, including the provisions of the Framework, which outweigh this finding.
24. For the reasons given above, I therefore conclude that the appeal should not succeed.

Robin Buchanan

INSPECTOR