



Appeal Decision

Site visit made on 11 January 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 JANUARY 2023

Appeal Ref: APP/L3625/D/22/3303881

Copper Beeches, Egmont Park Road, Walton On The Hill, Surrey KT20 7QG

- 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 Paul Anderson against the decision of Reigate and Banstead Borough Council.
 - The application Ref 22/00979/HHOLD, dated 26 April 2022, was refused by notice dated 5 July 2022.
 - The development proposed is Proposed 6 bay front garage and annexe scheme to roof level.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refused a similar planning application Ref 21/02355/HHOLD for the same property. The second reason for refusal for this first application refers to insufficient arboricultural information. The appeal before me relates to a subsequent planning application which included an Arboricultural Method Statement (AMS).
3. There was some confusion around the appellant's evidence in support of the current appeal. However, the appellant has confirmed that they wish to rely on a Statement of Case prepared for an appeal which was submitted, but turned away, relating to the first application.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Walton on the Hill Conservation Area (CA) and the Walton on the Hill Residential Area of Special Character (RASC), including taking account of any effect upon the area's trees.

Reasons

5. The appeal property is a large substantial house in a spacious corner plot within Egmont Park Road. The property is relatively recently constructed, and has an existing detached double garage situated forward of the main house, but well set back from the road. The frontage includes mature trees and hedging.
6. The appeal site is located within the Walton on the Hill RASC, characterised by low density layout, set within heavily wooded areas. The appeal site is also located within the Walton on the Hill CA, within the arts and crafts settlement

area. Key features of the CA include substantial trees and greenery, spacious plots and holly hedges. The character of the area is dominated by a mature landscape which provides an attractive setting for large individually designed properties set well behind the road frontage in generous plots.

7. Due to its substantial footprint, its position forward of the building line and its close proximity to the frontage, the proposal would appear as an incongruous feature in the streetscene. By virtue of its scale, position, height, bulk and mass, the proposal would result in a building that would dominate the property frontage, and thus it would undermine the spacious character of the RASC. It would also partially obscure the view of the main house, and as such it would appear to compete with and undermine the dominance of the main house. Due to its height, scale and position, it would appear visually prominent and incongruous within the streetscene, and have an urbanising effect on the immediate area. Consequently, the proposal would fail to preserve or enhance the character and appearance of the CA.
8. The proposed crown roof design would fail to follow the roof design of the main house. Further, its significant mass would add to the bulk of the proposed building. While the proposed dormers reflect the style of those at the main house, they are positioned very close together. As such they would give the appearance of a much wider dormer, out of keeping with the main house.
9. The number of bays to the garage would be significantly in excess of that typically found in garage additions, without any justification in terms of need. The appellant has referred to local examples of houses with front/side garage additions for multiple cars. However, my observations on site suggest that such ancillary buildings are clearly subservient to host properties.
10. The specific example of the single storey structure with multiple garage doors at nearby Egmont Park House is set to the side of the main property, with a flat roof, and is well set back from the road. Two other local properties have detached double garages situated forward of the main house, but well set back from the frontage, and subordinate to the main house.
11. The proposal would result in the felling of five mature trees, two of which are of moderate quality and therefore have over 20 years life expectancy, and a further two of low quality with a life expectancy of over 10 years. Their removal would undermine the verdant qualities of the area and therefore have a significantly detrimental effect upon the street scene, and thus cause unacceptable harm to the character and appearance of the RASC and CA.
12. Although not referred to in the Council's Officer Report, Policy NHE3 of the Reigate and Banstead Local Plan Development Management Plan 2019 requires an assessment as to whether the benefit(s) of the proposed development clearly outweighs the loss of the trees. In this case, the only benefit would be an improvement to residential amenity for the occupiers of the appeal property. I do not consider that this would outweigh the loss of the trees.
13. The proposal would also be located within the root protection areas of other mature trees, and as such, the Council is concerned that the construction of the proposal would lead to their premature decline. The AMS proposes a pile foundation method and tree protection measures to comply with British Standard 5837:2012 '*Trees in relation to design, demolition and construction – Recommendations*'. Specifically, the AMS sets out that foundation design

- should be undertaken using site specific information in consultation with the project arboriculturist and engineer. Whilst the design solution is not before me, I am satisfied that, should this application be satisfactory in other regards, this matter could be controlled by a suitably worded condition requiring the involvement of an arboriculturist. Therefore, the health and life expectancy of these trees would not be adversely affected by the proposed development.
14. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 199 of the National Planning Policy Framework (the Framework) makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
 15. In accordance with paragraph 202 of the Framework, the harm I have identified is less than substantial, and therefore the harm must be weighed against any public benefits of the proposed development. The only benefit of the proposal would be an improvement to residential amenity for the occupiers of the appeal property, which is not a public benefit.
 16. I therefore conclude that the proposed development would not preserve or enhance the character or appearance of the Walton on the Hill Conservation Area (CA) and the Walton on the Hill Residential Area of Special Character (RASC). It would cause less than substantial harm to the significance of the CA as a designated heritage asset, and there are no public benefits that would outweigh this harm.
 17. The proposed development therefore conflicts with Policies DES1, DES3, NHE3 and NHE9 of the Reigate and Banstead Local Plan Development Management Plan 2019, and the Reigate and Banstead Local Plan: Core Strategy 2014. It would also conflict with the guidance and requirements of the Reigate and Banstead Borough Council Supplementary Planning Guidance *Householder Extensions & Alterations* 2004; and the Reigate and Banstead Borough Council *Local Character & Distinctiveness Design Guide* Supplementary Planning Document 2021.
 18. The proposed development would conflict with the aim of the Framework to conserve and enhance the historic environment.
 19. These policies and guidance seek to ensure high quality design; to promote, respect and reinforce local distinctiveness; to respect local character and appearance, including the visual appearance of the streetscene; to prevent over-dominance of built form within plots; to retain or replace existing tree cover wherever possible; and to protect, preserve and enhance heritage assets.

Other Matters

20. A range of other matters have been raised by interested parties. However, as I am dismissing the appeal on the main issue, and consideration of these matters will not alter my decision, it is not necessary for me to address them directly.

Conclusion

21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Moore

INSPECTOR