



Appeal Decision

Site visit made on 14 February 2023

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2023

Appeal Ref: APP/L3625/W/22/3303218

101 Ladbroke Road, Redhill RH1 1JT

- 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 Dennehy against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/02283, dated 20 August 2021, was refused by notice dated 28 April 2022.
 - The development proposed is erection of 10 apartments, including access, parking and amenity space following the demolition of an existing building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of 97-99 and 103 Ladbroke Road and the occupiers of properties on Lynwood Road, with particular reference to outlook, noise and pollution.

Reasons

Character and appearance

3. Ladbroke Road contains a mix of detached dwellings, purpose built blocks of flats, as well as houses which have been converted to self-contained flats. Properties on this stretch of the road are arranged in a discernible building line and set back from the road. Whilst there are examples of properties with rear car parking areas on the street, the majority of properties on this side of Ladbroke Road have generously sized rear gardens which provide a green buffer creating a spacious suburban character and appearance. The appeal property has a large rear garden which is glimpsed through the spaces between the neighbouring dwellings and therefore contributes positively to the character and appearance of the area.
4. Whilst it would not be taller than either adjoining property, the proposal would be wide, and significantly deeper. The stepped design to the rear is intended to reduce the visual impact of the proposal's depth towards the rear of the plot when viewed from Ladbroke Road. However, given the built up nature of the area, the proposal's large rear projection into the garden would be visible from

a number of properties on both Ladbroke Road and to the rear on Lynwood Road.

5. Despite the slightly reduced ridge height to its rear, the proposal's very large footprint, would create a bulky and visually awkward building. The side elevations, which would be visible in views from adjoining properties, would be expansive with very few features to soften their appearance.
6. The proposal, which would be significantly larger than its immediate neighbours, would erode the open nature of the garden. It would also introduce a significant amount of hardstanding to provide car parking and an access road, creating a harmful urbanising effect. Whilst this may be required to respond to other policies, the sheer amount of hardstanding, when combined with the proposal's large footprint, would cover a substantial area of the plot. In comparison to neighbouring properties, there would be a low proportion of remaining garden area and soft landscaping. I find that the proportion of the site which would be covered by built form and hardstanding would create a cramped form of development which is indicative of overdevelopment.
7. The appellant refers to an OS extract included within their Statement of Case. It has been put to me that the depth of the proposal would be comparable to that of other modern blocks of flats on the street and that many do not have stepped footprints. It has also been put to me that examples of other nearby developments with car parking to the rear form part of the character of the area. From my site visit, it appeared that, whilst the blocks of flats opposite the appeal site have deep footprints, unlike the appeal proposal, they have smaller front car parking areas, and retain generously sized gardens to the rear. I have not been provided with the specific details of the planning permissions related to the other developments referenced by the appellant. However, they appear to be historic developments that were likely developed under a previous local plan. An overarching social objective of the National Planning Policy Framework (the Framework) is the creation of a well-designed, beautiful and safe built environment. For the reasons outlined above, I have not found the proposal to represent high quality design. Even if there are other nearby buildings which have layouts which are not dissimilar, these schemes do not persuade me that the proposal is acceptable.
8. The introduction of a large bin store to the front of the building would also be an uncharacteristic addition which would add to the sense of overdevelopment of the site. The appellant suggests that details of the re-siting of the bin store could be dealt with by planning condition. However, as I do not have proposed plans showing the location of the bin store, it is not possible to gauge the extent to which it may impact the living conditions of neighbouring occupiers or to assess its potential impact on the character and appearance of the area. Consequently, such a condition would not be appropriate in this instance.
9. I do not find that the access drive to the side of the building would appear cramped as sufficient space would remain for planting on the shared boundary. The drive would also maintain separation between the proposal's side elevation and the shared boundary. As many properties on the street are built close to their side boundaries, I do not find the proximity of the proposal's northern elevation to the shared boundary with 103 Ladbroke Road to be uncharacteristic within the street scene. Whilst the front elevation would be forward of the front of No. 103, it would not project forward of the adjoining

property to the south. As a result, the proposal's siting would contribute to the staggered building line on this part of the street and would not appear at odds to the prevailing street layout.

10. The Council has no objection to the principle of the redevelopment. Similarly, the materials proposed for the dwelling, and the architectural detailing, when viewed in isolation, may be acceptable. I observed that a number of surrounding properties had hipped roofs with flat roof elements, and I do not find this part of the proposal uncharacteristic. However, the impact of the development, when viewed in its context, due to its size and bulk, combined with the quantum of hardstanding and reduction of the soft landscaping would cause harm to the character and appearance of the area.
11. For the above reasons, I conclude that the proposed extension would harm the character and appearance of the wider area. I therefore find that it would conflict with Policy DES1 of the Reigate and Banstead Development Management Plan (2019) (DMP). Amongst other aspects, the policy requires development to be of a high quality of design and make a positive contribution to the character and appearance of its surroundings. I also find conflict with the principles within the Framework which expect development to be visually attractive as a result of a good layout whilst maintaining a strong sense of place.

Living conditions

12. As a consequence of the siting and bulk of the proposal, the development would be visible from the rear gardens of both 97-99 and 103 Ladbroke Road. However, given its position, and stepped design which would provide generous separation distances to both shared boundaries, I do not consider that the proposal would significantly harm the outlook from either of the neighbouring properties' rear gardens or from the rear windows of either property.
13. No. 97-99 also has side facing windows looking onto the appeal site. The built form of the proposal would be constructed slightly closer to the windows than the existing building. However, the proposal would be no taller than the existing house and would be separated from the boundary by the new access road, whilst its roof would pitch away from the neighbouring windows. Overall, the proposal would not be likely to have an overbearing effect on outlook from habitable rooms of that property.
14. The neighbouring occupiers would experience some increase in noise as a result of the additional car movements and activity to the rear of the appeal site. Twelve car parking spaces are proposed. Even if each parking space were to be occupied, it seems to me, that the car movements spread throughout the day would not be particularly frequent, thereby reducing the potential for significant disturbance.
15. Trees on the boundary with the gardens of Lynwood Road properties may have been removed during the planning application process. However, the existing fences on the southern and western boundaries would be supplemented with additional mature and semi-mature planting. Had the appeal proposal been acceptable, a planning condition could have been imposed to ensure that planting was sufficiently mature to provide mitigation. Noise and air quality surveys were not submitted by the appellant. However, given the nature of the proposal and small scale of additional vehicle movements, I have not been

provided with compelling evidence that there would be unreasonably harmful impacts to neighbouring occupiers in this regard.

16. Consequently, the proposed development would not have an unacceptable impact on the living conditions of neighbouring occupiers. Therefore, in this respect, it would not be contrary to Policies DES1 and DES9 of the DMP which require, amongst other aspects, that new development should not result in harm to the living conditions of neighbouring occupiers. It would also comply with the principles of the Framework which require development to safeguard and improve the environment and ensure safe and healthy living conditions.

Other Matters

17. The National Planning Policy Framework (2021) (Framework) seeks to significantly boost housing supply and indicates the value of using suitable land within settlements for homes. It also encourages the optimal use of underutilised land. In terms of the scheme's benefits, the proposal would provide 10 residential units which contribute to local housing supply and would represent a more efficient use of land in an existing urban area with access to public transport and services. The design of the dwelling would incorporate low-carbon technologies and would be energy efficient. It has also been put to me that the proposal would provide biodiversity enhancements through the provision of native planting which would be subject to regular management. These are material considerations that weigh in favour of the appeal scheme, and I afford them some weight but these matters do not outweigh the harm I have previously identified.
18. I acknowledge that residential development in this location is acceptable in principle and the proposal may be compliant with various other provisions of the development plan. I have also found no harm in relation to any matters other than the impact on the character and appearance of the area. However, the absence of harm or conflict with other relevant development plan policies is a neutral factor and does not weigh in favour of the proposal.

Conclusion

19. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR