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# Appeal Decision

Site visit made on 23 May 2023

**by A Wright BSc (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 July 2023**

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**Appeal Ref: APP/L3625/D/22/3310776**

**Pilgrims Cottage, 32 Pilgrims Way, Reigate, Surrey 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 Nicholas Peters against the decision of Reigate and Banstead Borough Council.
  - The application Ref 22/01698/HHOLD, dated 28 July 2022, was refused by notice dated 22 September 2022.
  - The development proposed is a new entrance to the west, a new two storey side extension to the east, along with an adjoining single storey garden room to the south, a first-floor extension to the roof above the existing garage along with a ground floor extension of the garage to the east, a new remodelled roof arrangement including a change to the pitch with raised eaves and ridge along with new detached double garage located in the southwest corner of the plot.
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## Decision

1. The appeal is allowed and planning permission is granted for a new entrance to the west, a new two storey side extension to the east, along with an adjoining single storey garden room to the south, a first-floor extension to the roof above the existing garage along with a ground floor extension of the garage to the east, a new remodelled roof arrangement including a change to the pitch with raised eaves and ridge along with new detached double garage located in the southwest corner of the plot at 32 Pilgrims Way, Reigate, Surrey RH2 9LG in accordance with the terms of the application, Ref 22/01698/HHOLD, dated 28 July 2022, subject to the attached Schedule of Conditions.

## Preliminary Matter

2. The description used in the banner heading and my decision above primarily reflect that on the application form, but have been slightly altered in the interests of clarity.

## Main Issue

3. The main issue is the effect of the development on the character and appearance of the Pilgrims Way and Beech Road Residential Area of Special Character.

## Reasons

4. The site comprises a detached bungalow with accommodation in the roofspace, situated in a predominantly residential area on the corner of Pilgrims Way and Underhill Park Road with a timber fence along the road boundaries. The dwellings in the area are varied in design but are typically large, two storey houses with generous plots. The appeal property is set down from Underhill

Park Road with a steep bank separating them. The dwelling at 15 Underhill Park Road (No 15) adjoins the appeal site to the east and there is a large gap to the nearest existing house to the south on Pilgrims Way.

5. The appeal site is located within the Pilgrims Way and Beech Road Residential Area of Special Character (the RASC) in the Reigate & Banstead Local Plan Development Management Plan 2019 (the Development Management Plan). The RASC is recognised for its individual identity and special character. It is characterised in part by detached dwellings set within large curtilages with mature gardens and verdant soft, leafy landscapes with plots set back from the road. The appeal site contributes to the character of the RASC as it is a substantial plot with some mature trees on the boundaries and a verdant garden containing established planting.
6. Although the development would increase the volume and width of the house and the property would appear more prominent on Pilgrims Way, the extensions would not be markedly nearer the road than the existing dwelling. As other properties in the vicinity are comparatively higher than the appeal dwelling, the proposed upper floor addition and the projecting gable would not be out of proportion with these. Whilst the extended building would have a greater width and mass than the existing one, its existing setting against a steep bank with a backdrop of trees in views from Pilgrims Way would remain. As a result, the proposal would not harm the street scene.
7. At my site visit I observed different spacings between properties in the RASC, including some properties with relatively small gaps between them on the other side of Underhill Park Road. Although the side extension would reduce the gap between the appeal dwelling and No 15, the latter has a different footprint and orientation, and a significant distance between the two properties would remain. Due to the variety of gaps between buildings in the vicinity, the juxtaposition of the appeal dwelling compared to No 15, and the retention of a sizeable gap between the two houses, there would be no harm to the spaciousness of the area.
8. The extensions would require the removal of some trees, but these have low or limited landscape value and include two ash trees with suspected ash-die back as evidenced in the submitted Arboricultural Planning Report. The other existing trees would remain, including field maples beside the house and beech trees on the Pilgrims Way boundary. Although there would be limited scope for landscaping alongside the curved mutual boundary with No 15 due to the proximity of the proposed extension and path, there would be sufficient space for landscaping between the two houses in other parts of the appeal site. The retention of many existing trees together with a condition requiring suitable landscaping would ensure that the verdant appearance of the site is retained.
9. The proposed garage would be located a significant distance from the extended house, on part of Pilgrims Way where there is no evident building line and set back at least 7m from the road, further from it than the existing house. Although it would result in a new built form, the garage would be partly screened by the boundary fence and proposed gates so only the upper part of the building would be visible from Pilgrims Way. Whilst it would result in the removal of two apple trees, existing conifers close to the boundary would be retained and there would be space for new landscaping. Due to the relationship

with the existing house, distance from the road and screening, the garage would not be a prominent or incongruous form of development.

10. There is reference to a recent planning permission for a garage at 12 Pilgrims Way, but limited details have been provided so I am not able to compare it with the appeal proposal. I also note that there is an extant planning permission for a new house and garage south of the site (planning application ref 21/00797/F) which originates from an appeal decision that pre-dated the Council's Local Character & Distinctiveness Design Guide Supplementary Planning Document 2021 (LCDDG). Based on the evidence before me, the appeal scheme would be compatible with this.
11. Overall, I conclude that the development would not harm the character and appearance of the RASC. It would comply with Policies DES1 and DES3 of the Development Management Plan and Policy CS4 of the Reigate and Banstead Local Plan Core Strategy 2014. Together, these require development to respect the character of the surrounding area, valued townscapes and RASCs, including not harmfully eroding the spacing between buildings or leading to an over-dominance of the built form within the plot, and retaining or replacing existing landscaping. It would also accord with the National Planning Policy Framework (the Framework) which requires development to be sympathetic to local character.
12. Furthermore, the proposal would comply with the Council's Householder Extensions and Alterations Supplementary Planning Guidance 2004 which requires extensions to not appear unduly prominent in the street. It would also accord with the Council's LCDDG where in the RASC it requires the existing landscape structure to be retained and enhanced, building lines and dwelling spacing to be respected, and new development to be in scale with the character of the area.

### **Conditions**

13. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. Conditions relating to external materials, hard and soft landscaping and tree protection are all necessary to protect the character and appearance of the area. I have removed the reference to tree removal and amended the trigger point in the Council's suggested landscaping condition to reflect information already submitted and to align with other conditions.
14. I have considered the condition suggested by the Council to require obscure glazing to the first floor windows on the west side elevation against the tests set out in the Framework. As the nearest potentially affected property is located some distance away, the proposal would not cause harm in terms of overlooking and I do not consider that such a condition would be necessary.

### **Conclusion**

15. For the reasons given, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed.

*A Wright* 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 following approved plans: MB1064/0001 PL2; MB1064/000 PL2; MB1064/0005 PL3; MB1064/0010 PL2; MB1064/0011 PL2; MB1064/0012 PL2; MB1064/0015 PL1; MB1064/0016 PL1; MB1064/0017 PL1; MB1064/0018 PL1; MB1064/0020 PL1; MB1064/0021 PL1; MB1064/0022 PL1; MB1064/0205 PL3; MB1064/0210 PL3; MB1064/0211 PL3; MB1064/0212 PL3; MB1064/0215 PL2; MB1064/0216 PL2; MB1064/0217 PL2; MB1064/0218 PL3; MB1064/0220 PL2; MB1064/0221 PL2; MB1064/0222 PL2; MB1064/0223 PL3; MB1064/0230 PL3; MB1064/0231 PL3; MB1064/0232 PL2; and MB1064/0233 PL1.
- 3) No development shall take place above slab level until written details of the materials to be used in the construction of the external surfaces have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.
- 4) No development shall take place above slab level until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the local planning authority. Landscaping schemes shall include details of hard and soft landscaping, including any tree retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to first occupation or within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing with the local planning authority.

All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837 Trees in Relation to Design, Demolition and Construction.

Any trees, shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.

- 5) Prior to the commencement of any development works, including demolition and all construction activities, all tree protection measures shall be undertaken in strict accordance with the approved details contained in the Arboricultural Planning Report ref. 21 2004 and the Tree Protection Plan ref. 21 2004 TPP 001 from Arb Consultancy Ltd. All arboricultural matters will then follow that described in these approved details.