



Appeal Decision

Site visit made on 26 July 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15.08.2023

Appeal Ref: APP/L3625/D/23/3320539

13 Beverley Heights, Reigate RH2 0DL

- 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 & Mrs J Pullen against the decision of Reigate and Banstead Borough Council.
 - The application Ref 23/00033/HHOLD dated 6 January 2023, was refused by notice dated 10 March 2023.
 - The development proposed is the demolition of existing garage /entrance porch. 1.5/2 storey side and rear infill additions. Warm roof to existing conservatory. Rendering of the property with tile hung / cladding infill panel to front and rear dormer.
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Decision

1. The appeal is allowed, and planning permission is granted at 13 Beverley Heights, Reigate RH2 0DL for the demolition of the existing garage /entrance porch. 1.5/2 storey side and rear infill additions. Warm roof to existing conservatory. Rendering of the property with tile hung / cladding infill panel to front and rear dormer in accordance with the terms of the application, Ref 23/00033/HHOLD, dated 6 January 2023 subject to the following 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; Location Plan 13BH/22-OS, Existing Plans 13BH/22-01, Proposed Plans 13BH/22-02 and Roof Plan 13BH/22-RP.
 - 3) The materials to be used in the external surfaces of the extensions hereby approved shall match those of the existing dwelling.
 - 4) The extension hereby permitted shall not be occupied until the three panel windows in the southern elevation above the garage have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Main Issues

2. The main issues are the effect of the development: -
 - i) on the host property and the character and appearance of the area; and
 - ii) the living conditions of the occupiers of No.2 Beverley Heights.

Reasons

3. No.13 is located at the end of Beverley Heights which is formed of large, detached properties. In contrast to the other properties No.13 is orientated with a side flank to the road. The main elevation is to the west and includes the entrance, with the driveway and a large, detached garage in front. The proposal would reorientate the property which would be extended to the west creating a wider front elevation (south) with a central entrance and integral garage to the side. The development would thereby significantly alter the form and appearance of the property. Nonetheless, the property sits within a sizable plot and the Council's design concerns are restricted to the proposed dormer which would have a flat roof and is to be positioned within the rear roof slope towards the garden (north elevation).
4. The Council's Supplementary Planning Guidance - Householder Extensions and Alterations 2004 (SPG) generally advocates small dormers with pitched roofs, that are set down, proportionate to the existing windows and in keeping with the appearance of the property.
5. The proposed box-type roof dormer is wide with two sets of windows but is set down from the ridge line and would form part of the extension, which is to be setback and set down from the existing rear elevation. Given its position and the other elements of the rear façade, it would not be an overly prominent feature.
6. Sited to the rear, the whole dormer would not be seen with very limited views of the side from the public domain. Additionally, flat roof dormers are a feature found in the area, both currently on the host property, and to other properties in Beverley Heights. This includes No.1 which is at the entrance to the road and has a large flat roof dormer to the front.
7. In this context, it would not be an incongruous addition or visually intrusive, and consequently, I find that the form and design of the dormer would be appropriate for the property. It would therefore accord with the requirements of policy DES1 of the Reigate and Banstead Development Management Plan which promotes high-quality design which reinforces local distinctiveness and respects the character of the surrounding area. Whilst some aspects do not fully follow the guidance, the SPG indicates that there may also be factors that allow for a departure and, overall, the proposal would not be harmful to the character of the area.

Neighbour – No.2 Beverley Heights

8. No.2 is located in front of the appeal property on lower ground with its rear garden projecting towards No.13. There is however an intervening access and the separation between the two properties is over 40m.
9. The Council consider the relationship with the extension would be unacceptable and result in an overbearing development and a loss of privacy. They rely on comments in an earlier appeal decision¹ which related to a larger scheme for three dwellings. The immediate context has changed since that appeal decision, with two new properties having now been built to the side of No.13. Additionally, that appeal proposal was assessed against a different Development Plan.

¹ APP/L3625/W/19/3226252

10. Due to the layout, there is overlooking of No.2's rear garden from the upstairs window on the southern elevation of the existing property, as noted in the previous appeal decision. However, the proposed extension would be set further back, and two of the three first-floor panel windows (above the garage) are to serve an ensuite. The other is a secondary window to the main bedroom which would also have an aspect to the rear, and the appellant has indicated that all three panel windows could be obscurely glazed. The larger window above the entrance would provide light to a narrower corridor section forming the access to the new bedroom and thereby would not directly serve a habitable room.
11. I accept that No.13 will have a notable presence from No.2. Nonetheless, having regard to the separation, the internal layout of the extension and the proposed glazing I do not find that the additional windows would exacerbate the situation to result in an additional loss of privacy. Similarly, whilst the scale of the property is to increase to the west, the extension has a subservience in scale to the host property and in my view would not be overly imposing to have an overbearing effect.
12. I thereby find that the extension would not be unduly harmful to the living conditions of the occupiers of No.2 and would accord with the requirements of policy DES1 of the Reigate and Banstead Development Management Plan 2019 and the SPG with regards to the relationship with neighbouring buildings and not adversely impacting upon the amenity of the occupants.

Other Matters

13. Third parties have raised a number of other issues including the relationship with properties in Raglan Road to the rear. These matters have been comprehensively considered within the Council officer's report which also indicates that the officer visited the neighbouring properties. I have been provided with no substantive evidence which would prompt me to disagree with the Council's conclusions on these matters.

Conditions

14. Conditions are necessary in the interests of compliance with statutory requirements relating to the commencement of development [1] and certainty [2]. In the interest of the appearance of the property and the character of the area, it is necessary to secure the materials [3]. I have also imposed a condition to secure and maintain obscure glazing as proposed to the panel windows in the interest of privacy.

Conclusion

15. For the reasons set out, and having regard to all other matters raised the appeal is allowed.

G Ellis

INSPECTOR