



Appeal Decision

Site visit made on 8 August 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2023

Appeal Ref: APP/L3625/W/23/3314040

1 Arden Close, Reigate, Surrey RH2 7QN

- 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 C Ufoeze (Misa Incorporated Ltd) against the decision of Reigate and Banstead Borough Council.
 - The application Ref 22/01888/F, dated 22 August 2022, was refused by notice dated 24 November 2022.
 - The development proposed is described as 'single storey rear extension to no. 1 Arden Close and erection of new dwelling on land to the south'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension to no. 1 Arden Close and erection of a new dwelling on land to the south, at 1 Arden Close, Reigate, Surrey RH2 7QN in accordance with the terms of the application, Ref 22/01888/F, dated 22 August 2022, and the plans submitted with it, subject to the conditions in the schedule below.

Preliminary Matters

2. Amended plans were submitted to the Council before the application was determined, confirming the proposed arrangements for off-street parking and the associated visibility splays. I have had regard to the amended drawings when considering the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises an existing semi-detached dwelling together with an area of garden to the side. At the time of my site visit the dwelling was occupied but the side garden was fenced off, vacant and disused. However, the application form confirms that both parts of the site are in the same ownership.
5. The surrounding street scene comprises pairs of similar semi-detached dwellings. Although these are laid out in a fairly regular pattern, the amount of space between each pair varies, as does their siting in relation to the curving street layout. Generally speaking, small front gardens are enclosed by low walls and/or neat boundary hedges, behind which the dwellings form a visible and continuous built-up frontage.

6. On the other side of Arden Close there is a public open space containing mature trees and grassed areas. There are also several areas of wide grass verge within the street layout, including one directly in front of the appeal site. These soft landscaped areas provide a sense of space and give the Close a mature, leafy quality, despite the relatively built-up frontages.
7. At the time of my site visit, the appeal site was enclosed by a dense and somewhat overgrown hedge. There were no mature trees within the site, although there were some in the adjacent garden. Together with the open space opposite, this vegetation contributes to the leafy quality of the approach along Arden Close from Ashdown Road.
8. Removal of the existing boundary hedge would make the site more visually exposed and the proposed dwelling would be in a prominent position on a corner site. However, this would not be inherently harmful, since the street scene is already fairly built up and the design and proportions of the dwelling would be a good match for its neighbours.
9. The appellant has expressed willingness to introduce soft landscaping along the side boundary to Arden Close. The space available would be limited, but not so restricted as to prevent introduction and establishment of suitable plant species. Although the visibility splay would encroach into this area to a limited extent, planting around the rear garden and alongside much of the flank wall of the proposed dwelling would be feasible and this could be secured by condition.
10. That being the case, the treatment of the flank boundary would be not dissimilar to the neat hedges and small gardens which are characteristic of the street scene. The larger open space and mature trees opposite would be unaffected and would continue to provide a more generous sense of space and leafy maturity in the immediate vicinity of the site.
11. There would be limited separation between the existing and proposed dwellings, but they would not look harmfully cramped in the context of the existing built-up frontages. Being detached, the proposed dwelling would depart from the pattern of predominantly semi-detached properties. However, the very similar design, scale and detailing would prevent it from looking out of place.
12. The Council has raised no concerns about the proposed single storey extension to the existing dwelling, which is similar to a previously-approved addition. Based on the evidence before me, I have no reason to reach a different view on this aspect of the proposal.
13. I conclude that the proposed development would not be harmful to the character and appearance of the area, subject to approval of a suitable landscaping scheme by condition. It would not conflict with relevant requirements in Policy DES1 of the Reigate and Banstead Local Plan Development Management Plan 2019 (RBDMP) or relevant paragraphs of the National Planning Policy Framework (the Framework). Policy DES1, amongst other things, requires that new development respects the character of the surrounding area and the visual appearance of the immediate street scene and incorporates appropriate landscaping. The Framework requires amongst other things that development is sympathetic to local character and the surrounding built environment, without preventing or discouraging appropriate innovation or change.

14. The proposal responds positively to several aspects of the 2021 Design Guide¹, which requires amongst other things that development should respect existing building lines, plot widths, external materials, fenestration and roof forms. The Design Guide also refers to maintaining space alongside new access roads to provide space for new landscaping. However, no new access road is proposed, and I am in any case satisfied that adequate landscaping can be achieved.

Other Matters

15. While the previous planning permission for an attached dwelling would have provided slightly more space along the side boundary, that is not the proposal which is before me. That previous proposal was also approved prior to adoption of the current development plan and is no longer extant. Therefore, for a variety of reasons, I have given it little weight.
16. Although the Woodhatch area as a whole borders the rural area, the appeal site has no direct relationship with surrounding countryside and no specific harm has been alleged to the wider rural surroundings.
17. I have noted evidence that the Council's supply of housing land exceeds the minimum five year requirement set out in the Framework. The proposal would nevertheless make a small contribution to the supply of housing. Since I have concluded that the development would accord with the development plan, paragraph 11 of the Framework indicates that the proposal should be approved without delay.

Conditions

18. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity and have omitted others.
19. I have imposed a condition specifying the approved plans, to provide certainty, but I have not listed plans which show only existing details and not the proposed development. I have, however, included drawing number 2202_PA_100 Rev B, which was not listed on the Council's decision notice, but was submitted prior to the Council's decision and includes details of the approved parking arrangements.
20. I have imposed a condition requiring approval of external materials, in order to maintain the character and appearance of the area. For the reasons given above, I have also imposed a condition to ensure approval and implementation of appropriate soft landscaping along the site boundary. I have simplified the Council's suggested timescale for implementation, in the interests of precision and clarity. I have also excluded any reference to existing trees, as there are none within the site and no risks to other existing trees have been identified.
21. Conditions to secure implementation of the proposed access and parking arrangements are required to ensure that these necessary elements of the proposed development are available prior to occupation. This includes conditions to ensure that adequate visibility is maintained in the long term. I have not specified the required dimensions for pedestrian visibility splays, since

¹ Reigate and Banstead Borough Council Local Character & Distinctiveness Design Guide Supplementary Planning Document June 2021

the plans show that the siting of the proposed dwelling would slightly intrude into the Council's proposed 2m x 2m splay on one side of the access. Therefore a bespoke layout will need to be agreed with the local planning authority. I am nevertheless satisfied that sufficient visibility can be provided, given the relatively open nature of this corner site.

22. A condition to secure required standards of energy and water efficiency is necessary to ensure that the development accords with the development plan. However, I have clarified that these requirements only apply to the proposed new dwelling, since I have seen no clear evidence that the existing dwelling is capable of retro-fitting to the required standard.
23. The site is relatively flat and the elevations show that the proposed dwelling would have the same floor levels, eaves and ridge height as the adjacent dwelling within the site. I have not therefore imposed a pre-commencement condition requiring further approval of the proposed ground and floor levels, as this is not necessary and could unreasonably delay implementation of the development.
24. Given that the appeal site is within a well-established residential area, the proposed dwelling would be well located to take advantage of any existing broadband infrastructure. A requirement to provide any significant new off-site infrastructure would not be fairly and reasonably related to the very modest scale of the proposed development. Therefore, I do not consider that the Council's suggested condition meets the tests in the Framework, in relation to this particular development. I have also not included a condition specifying technical requirements for electric vehicle charging facilities, although I note that they are specified on the approved plans, since this requirement is now covered under the Building Regulations.

Conclusion

25. For the above reasons, I conclude that the proposed development is in accordance with the development plan as a whole, and that there are no other relevant material considerations that would indicate a decision otherwise would be appropriate. Therefore the appeal should be allowed and planning permission granted subject to the conditions set out in the schedule below.

Jane Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans.
 - Site Location Plan 2202_EX_001 A
 - Site Location Block Plan 2202_PA_002 B
 - Ground Floor Plan as Proposed 2202_PA_100 A
 - First Floor Plan as Proposed 2202_PA_110 A
 - Roof Plan as Proposed 2202_PA_120 A
 - Floor Plans as Proposed, Areas 2202_PA_130 A
 - Front and Rear Elevations as Proposed 2202_PA_300 A
 - Side Elevations as Proposed 2202_PA_310 A
 - Side Elevations to No. 1 Arden Close as Proposed 2202_PA_320 A
 - Ground Floor Plan as Proposed with Parking Arrangement 2202_PA_100 B
 - Visibility Splays Ground Floor Plan as Proposed 2202_PA_105 B
- 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 of the dwelling and extension hereby permitted, including fenestration and roof, 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 part of the development shall be first occupied unless and until a scheme for the landscaping of the site has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include details of hard and soft landscaping, including 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, in accordance with the approved implementation programme.

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) The development hereby approved shall not be occupied unless and until the existing vehicular access from the site to Arden Close has been permanently closed and the kerb and footway fully reinstated.
- 6) No part of the development shall be first occupied unless and until the proposed vehicular modified access to Arden Close has been constructed and provided with visibility zones in accordance with drawing no. 2202_PA_105 Rev B and thereafter the visibility zones shall be kept permanently clear of any obstruction over 600mm high.

- 7) The access hereby approved shall not be first utilised unless and until a pedestrian inter-visibility splay has been provided on each side of the access to Arden Close in accordance with a scheme to be submitted to and approved in writing by the local planning authority. No obstruction to visibility between 0.6m and 2m in height above ground level shall thereafter be erected within the area of such splays.
- 8) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with drawing no. 2202_PA_105 Rev B for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purpose.
- 9) The dwelling hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the local planning authority. The Statement shall detail how the development will:
 - a) Ensure that the potential water consumption by occupants of the approved dwelling does not exceed 110 litres per person per day,
 - b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.

The development shall be carried out in accordance with the approved details and the approved measures shall be implemented, installed and operational prior to the first occupation of the approved dwelling.

END