



Appeal Decision

Site visit made on 15 January 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 07.02.2024

Appeal Ref: APP/L3625/D/23/3333360

Woodlands, 29 Woodland Way, Kingswood, Surrey, KT20 6NU.

- 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 and Mrs Boniface against the decision of Reigate and Banstead Borough Council.
 - The application Ref 23/01289/HHOLD, dated 17 June 2023, was refused by notice dated 27 September 2023.
 - The development proposed is for a proposed detached timber framed carport to front driveway area and 2 new entrance gates with brick pillars and splayed brick walls.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed detached timber framed carport to front driveway area and 2 new entrance gates with brick pillars and splayed brick walls at Woodlands, 29 Woodland Way, Kingswood, Surrey, KT20 6NU. in accordance with the terms of the application, Ref 23/01289/HHOLD, dated 17 June 2023, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be those set out on the approved drawings and as listed on the application form dated 17 June 2023.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: WW-100, 101, 102, 103, 104, tree protection plan TPP01 and the unnumbered Location plan.
 - 4) No development shall commence, including groundworks preparation and demolition, until all related arboricultural matters, including tree protection measures, arboricultural supervision and monitoring have been implemented in strict accordance with the details set out in the Tree Protection Plan prepared by JN Tree Consultancy, dated 14 June 2023.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the area.

Reasons

3. Woodlands is a relatively large, detached dwelling that sits on a large rectangular mature garden plot. It is one of an eclectic mix of dwelling within Woodland Way, part of the Kingswood Warren and The Warren Residential Area of Special Character (RASC).
4. The existing boundary to the road is formed by stone capped low, random stone walls between low random stone pillars, set back from the road edge behind a grass verge. There is substantive high screen of planting behind the wall, and an in and out driveway, sited at either end of the front boundary wall.
5. The appellants propose a detached timber framed car port to the front driveway area. In addition, they wish to replace the existing low masonry pillars to the two entrance ways with new brick pillars, splayed walls and sliding metal gates. The wing walls would extend from the property boundary to about 5.0 metres inside. Due to the design of the wall it would curve up from the outside 1.5 metre pillars to the 2.2 metres high inside pillars. The gates would be about 3.1 metres wide and 2.0 metres high.
6. Policy DES3 of the Reigate and Banstead Local Plan-Development Management Plan (Adopted September 2019) (DMP) requires, along with other things, that the plot frontages and boundary treatments reflect the existing street context and soft and hard landscaping should be sensitive to the plot, its setting and prevailing boundary characteristics. My attention has also been drawn to the Reigate and Banstead Borough Council *Local Character and Distinctiveness Design Guide Supplementary Planning Document* (Adopted June 2021) (SPD). The SPD is a material consideration, but it is only guidance, and it should not be applied to each and every property prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site. From the SPD which I note that it recommends that no gate or gate pillar should be more than 1.8 metres high and should often be less.
7. As I observed on my visit there is a huge variety of plot and boundary treatments within the estate to reflect the eclectic mix of property designs and styles. I acknowledge that the pillars will be slightly higher than 1.8 metres and the entrances would, certainly initially, be more prominent than the existing configuration. However, given the variety of plot frontages, boundary treatments and gate designs adopted elsewhere in the area and the existing mature planting I do not consider that the proposal would result in the substantial visual harm to the character of the RASC feared by the Council.
8. The Council raise no objection to the proposed car port. From what I have seen and read I would concur with the Council's finding on this element of the proposal.
9. I conclude in respect of the main issue that the proposed development, when taken as a whole, would not be harmful to the character and appearance of the RASC. It therefore pays sufficient regard to the Council's relevant design guidance and there would be no material conflict with the aims of DMP Policies DES1 and DES3 as they relate to the quality of development and protection of the character and appearance of the area.

Conditions

10. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the project.
11. In the interests of the maintenance of the character and appearance of the area I shall require the development to be undertaken in accordance with the details set out in the Tree Protection Plan prepared by JN Tree Consultancy dated 14 June 2023.
12. In the interests of certainty, I will impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

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

Philip Willmer

INSPECTOR