



Appeal Decision

Site visit made on 1 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2024

Appeal Ref: APP/L3625/W/23/3317821

56 Carlton Green, Redhill, Surrey RH1 2DA

- 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 John and Jane Bennett-Walsh against the decision of Reigate and Banstead Borough Council.
 - The application Ref 22/01652/F, dated 22 July 2022, was refused by notice dated 23 September 2022.
 - The development proposed is the erection of a new build, detached dwellinghouse (C3) with associated alterations to the existing host property (C3).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; (ii) the effect of the proposed development on the living conditions of the occupiers of No. 56 and No. 54 Carlton Green, with regards to noise; and (iii) whether the layout of the proposed development would provide sufficient space for fire appliances to access and exit the site.

Reasons

Character and Appearance

3. The appeal site is located in a residential area which is predominantly characterised by the presence of two storey detached or semi-detached houses that front onto the public highway. The dwellings in the immediate area are generally set back from the road, and in combination with the grass verges and mature trees, this provides the area with a spacious and verdant character.
4. The proposed development, which would involve the construction of a single dwelling within the existing rear garden of No. 56, would result in a backland form of development. Given the predominant character of the surrounding area, the proposal would clearly appear incongruous and out of place by disrupting the existing linear rhythm of development. Furthermore, it would also make the immediate area feel more cramped, thereby eroding the current spacious and verdant character.
5. I acknowledge that the proposed dwelling would be single storey and that digging into the ground would reduce its prominence to some degree. However, it would be sited on higher ground than the host dwelling and I find it highly likely that it would at least be glimpsed from Carlton Green via the driveway.

As such, the resultant harm would be readily apparent. The appellant has noted that other backland forms of development have taken place nearby, notably at Downswood and Hitherwood Close. However, the context of these developments is quite different given that they still front onto a public highway and therefore any harm is significantly reduced. A further development on Carlton Road has taken place behind existing houses and is accessed via a private shared drive. This is situated some distance from the appeal site, and in any event, that development is not reflective of the predominant local character and its presence does not justify allowing a proposal that would result in further harm.

6. As a result, I find that the proposed development would harm the character and appearance of the area. It would therefore be in conflict with Policies DES1 and DES2 of the Reigate & Banstead Development Management Plan 2019 (DMP), the relevant aspects of which seek to preserve character and appearance. It would also conflict with the parts of the Local Character and Distinctiveness Design Guide SPD, 2021 (LCDDG SPD) that have similar aims.

Living Conditions

7. The proposed dwelling would be served by an extension to the existing driveway. This access would be located immediately next to No. 56 and also adjacent to the boundary with the neighbouring property at No. 54.
8. I accept that cars would pass very close to both existing properties. However, given that the proposal is only for one additional dwelling, the number of journeys are likely to be very limited. In addition, while the topography of the site does slope gently upwards, this would not require car users to rev their engines to any significant degree when entering the driveway. As such, I do not consider that the noise emanating from manoeuvring cars would harm the living conditions of the neighbouring occupiers. With regards to the occupiers of No. 54, any such noise would be reduced by the installation of acoustic fence panels which could be secured by condition.
9. I therefore conclude that the proposed development would not result in harm to living conditions. As such, there would be no conflict with DMP Policies DES1 DES2 or DES9 or Policy CS4 of the Reigate & Banstead Local Plan Core Strategy 2014. Taken together, the relevant aspects of these policies seek to preserve living conditions for current and new occupiers. There would also be no conflict with the LCDDG SPD which in part has similar aims.

Access for Fire Appliances

10. The proposed dwelling itself would be situated some distance from the public highway, and the plans demonstrate that there would likely be insufficient turning space at the head of the driveway for larger vehicles including fire appliances. As such, these vehicles would be required to reverse along the driveway to Carlton Green.
11. Section 13 of Approved Document B: Volume 1 Dwellings (Approved Document B) provides guidance with regards to how development can meet the legal requirements for vehicle access as set out in building regulations. The guidance sets out that fire appliances should not have to reverse more than 20 metres to a public highway where they can then turn.

12. The appellant has noted that a pumping appliance could be provided to the rear of No. 56, close to the proposed bin store. I am satisfied that this could be secured via an appropriately worded condition. This would mean that the pumping appliance would still be slightly further than 20 metres from the public highway, contrary to the recommendations of Approved Document B. However, that is only guidance rather than a statutory requirement. In this instance, the proposed driveway would be of a reasonable width and fire appliances would only be required to reverse straight backwards to the road. Such manoeuvres would likely be straight forward and the very limited amount of additional distance beyond the 20 metres would make no material difference in terms of time or difficulty.
13. As such, I conclude that the proposal would not be in conflict with DMP Policy TAP1, the relevant aspects of which seek to ensure safe and convenient access for all road users.

Conclusion

14. I have found that the appeal proposal would cause harm in relation to character and appearance. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have not found harm in relation to living conditions or access for fire appliances. Whilst the provision of a single dwelling would contribute to local housing supply and could provide some economic benefits for the local area, and the proposed planting scheme may enhance biodiversity on the site, the small-scale nature of the development means that any such benefits are likely to be very limited. Accordingly, there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR