



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: 18.03.2024

Appeal Ref: APP/L3625/W/23/3326192

Land at 36-38 Raglan Road, Reigate, Surrey RH2 0DP

- 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 Mrs C Sweby against the decision of Reigate and Banstead Borough Council.
 - The application Ref 22/02512/F, dated 28 October 2022, was refused by notice dated 24 April 2023.
 - The development proposed is the demolition of an outbuilding and erection of detached 2 bedroom dwelling.
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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 surrounding area, including its effect on the setting of a non-designated heritage asset; and (ii) the effect of the proposed development on the living conditions of the occupiers of No's. 50, 52 and 56 Alma Road, with regards to sunlight and privacy.

Reasons

Character and Appearance

3. The appeal site is occupied by a garage and part of a garden associated with a large mansion building that now comprises 36 – 38 Raglan Road and 50 Alma Road (hereafter referred to as the mansion). The proposed development would involve the demolition of the garage and the construction of a two bedroom dwelling.
4. The site forms part of a Residential Area of Special Character (RASC). The supporting text to Policy DES3 of the Reigate & Banstead Development Management Plan 2019 (DMP) states that RASC's are partly characterised by low density development that is set within spacious plots. Among other things, the wording of the Policy DES3 requires new development to respect the prevailing character.
5. I observed on my site visit that the area surrounding the appeal site does generally accord with the low density, spacious character described in the DMP. The appellant has submitted an analysis of density in the wider area. However, most of the plots identified as being of higher density are flatted developments. Smaller plots like the appeal site with single dwellings are very few and far between.

6. In this instance, the proposed dwelling would be perceived quite differently to the existing garage which is clearly seen as a subservient outbuilding. The dwelling would be quite narrow and noticeably smaller than other detached homes in the surrounding area. Given the small plot size, it would appear cramped and 'hemmed in'. In my view, the building would seem incongruous and out of place when considered in the context of the character of the wider area, and it would erode the existing feeling of spaciousness. While I acknowledge that the appeal site cannot be viewed from the public highway, this reduces the harm to character and appearance, but it does not eliminate it completely.
7. Furthermore, the mansion is regarded by the Council to be a non-designated heritage asset. It's size and overall design, including its gabled roof and traditional brick chimneys, give rise to its significance. The current parking area in front of the mansion effectively forms a relatively enclosed courtyard type space. While the existing garage is clearly in a state of disrepair, its traditional design with its brick construction, pitched roof and large doors means that it still contributes positively to the character of the immediate area, including the setting of the mansion.
8. While the design features of the proposed dwelling would be in keeping with the surrounds, the development would add additional built form to the immediate area with the height of the dwelling being similar to that of the adjacent Coach House. The intensifying of the urban form around the mansion would make it feel more crowded, thereby harming its setting and the contribution that this makes to its significance. Siting the dwelling two metres further back than the existing garage would only mitigate this issue to a small extent.
9. In combination, I therefore find that the proposal would result in moderate harm to the character and appearance of the surrounding area and the setting of a non-designated heritage asset. It would therefore conflict with DMP Policies DES1, DES3 and NHE9. Taken together, the relevant aspects of these policies seek to preserve character and appearance, including RASC's, as well as the setting of non-designated heritage assets.

Living Conditions

10. The proposed dwelling and garden area would be adjacent to part of the existing garden for No. 50 Alma Road. However, the fact that the garden of No. 50 is to the south of the appeal site means that it is highly unlikely that the proposal would result in a reduction in sunlight. In addition, the only windows within the proposed dwelling that would likely be visible from the garden are rooflights at first floor level. These windows would not be at eye level, and in any event, would only offer oblique views of the neighbouring garden.
11. The proposal includes a balcony at first floor level. However, this would not extend beyond the external walls meaning that there would be no views to the north or south from the balcony.
12. With regards to No's. 52 and 56 Alma Road, the proposed dwelling would be some distance from these dwellings and their gardens and would be separated by existing mature trees. Any opportunities for overlooking would therefore be minimal.

13. Taking all of this into account, I am satisfied that the proposal would not result in harm to the living conditions of neighbouring residents. It would therefore not conflict with DMP Policy DES1, which in part, seeks to protect living conditions.

Conclusion

14. I have found that the appeal proposal would cause harm in relation to character and appearance and the setting of a non-designated heritage asset. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have not found harm to living conditions. Whilst the provision of a single dwelling on a brownfield site would contribute to local housing supply, and could provide some economic benefits for the local area, the small-scale nature of the scheme 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