



Appeal Decision

Site visit made on 9 October 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2024

Appeal Ref: APP/L3625/W/24/3340273

44 Sutton Lane, Banstead, Surrey SM7 3RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by HFMHK against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 23/02046/F.
 - The development proposed is demolition of a detached house and construction of a block of 8 apartments with associated parking.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. This part of Sutton Lane is characterised by detached houses. Buildings are generally one or two storeys in height. Some have front dormers but these are generally at first floor level, and a handful have modest crown roofs. The clear gaps between the buildings, particularly at first floor and above result in a pleasant sense of spaciousness. Whilst the footprint of 42 Sutton Lane is close to the boundaries, this property is a bungalow with first floor accommodation within a pitched roof. This minimises bulk at the upper floor and maintains the sense of separation at first floor and above. Front gardens commonly include hard surfacing for car parking for these individual dwellings. Whilst the detail of the properties vary, these important features contribute to a modest height and spacious character to this area. 44 Sutton Lane is a detached bungalow, and its height and separation from neighbouring properties make a positive contribution to these characteristics.
4. The proposed development would introduce a large building containing 8 flats. It would be three storeys, with the third floor contained within the roof, served by dormers to the front, side and rear with a crown roof above and a three storey gable to the rear. The two storey south elevation would be around 2.2m from the boundary. The north elevation would be approximately 1.2m away from the boundary. It would be two storeys in height towards the front of the site with a single storey element towards the rear. The front garden would include hardstanding for an access and parking for 10 cars.

5. The three storey height would be clearly apparent from the proposed bulk at second floor level, evidenced through dormers, the large crown roof and the three storey gable. The proposed development would also result in two storey development close to the boundaries of the site which would harmfully undermine the sense of separation between properties particularly at first floor and above. Taken together, the appeal scheme would be an inappropriately tall and bulky development which would be harmfully dominant in this setting. Whilst hardstanding is a common feature of front gardens, the large extent of the hardstanding and parking proposed in this case would contribute to the inappropriate scale of built development.
6. 2a and 2b Beechfield and 30 and 32 Sutton Lane include areas of crown roof, however these single dwellings are not of a similar scale and nature to the development proposed. 8 and 10 Mellow Close are located away from the appeal site, do not front Sutton Lane and therefore do not form part of the immediate setting of the appeal site. Whilst there are examples of crown roofs, proximity to the boundary at ground floor and frontage hardstanding nearby, none are to the extent, scale or combination of that proposed.
7. Therefore, overall, the proposed development would unacceptably erode the modest and spacious pattern of development and would be inappropriately dominant in this context. This would result in serious harm to the character and appearance of the area.
8. My attention is drawn to other decisions planning permission has been granted or appeals have been allowed for houses to be replaced with flats¹. In common with those decisions, I have undertaken a detailed consideration of character and appearance. However, these examples are located some distance from the appeal site and I do not have evidence that they share the same character and appearance of this area. As such they do not alter my findings.
9. Therefore, the proposed development would have a harmful effect on the character and appearance of the area. As such, it would be contrary to Policy DES1 of the Reigate and Banstead Development Management Plan (2019) which requires that development will be of a high quality design including with regard to the character of the surrounding area amongst other things.

Other Matters

10. The proposed development would provide eight new homes including one and two bedroom properties for which there is an identified need and would make an effective use of the site. This would contribute towards the government's target to boost the supply of homes. However, taking into account the scale of the development, these would be important but modest benefits. Therefore, these modest benefits would not outweigh the serious harm to the character and appearance of the area as set out above.

¹ APP/L3625/W/22/3306215, APP/L3625/W/18/3201736, APP/L3625/W/20/3245674, 21/01996/F

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

H Miles

INSPECTOR