



Appeal Decision

Site visit made on 14 April 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st May 2025

Appeal Ref: APP/L3625/W/24/3353021

Larice, The Chase, Kingswood, Surrey KT20 6JD

- 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 Mr P Prisgrove (Winston Heights Developments) against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 23/02143/F.
 - The development proposed is the erection of 1 Detached dwelling following the demolition of an existing detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views, and the revised version has been taken into account in this decision.

Main Issue

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

Reasons

4. Larice is a large, detached dwelling accommodated in a generous plot with an extensive rear garden that fronts The Chase and abuts Outwood Lane to the rear, in a similar pattern to the adjoining properties towards the west. Following this stretch of linear plots, further to the west, the pattern of development includes back-to-back properties facing both The Chase and Outwood Lane. There are two cul-de-sacs off The Glade to the east of the site. Mature boundary hedges and trees within the properties' gardens and on their boundaries provide a leafy and attractive character to the locale, thereby making a positive contribution to the verdant character of the area.
5. The appeal site is located to the rear of the dwelling at Larice. It accommodates a detached double garage in poor condition which is accessed directly off The Glade. The land slopes steeply down towards the rear of the property. Some of the trees on site are covered by an area Tree Preservation Order, and there is a protected wellingtonia tree near the garage that due to its size and height is prominent within the street scene. Given its tree coverage, the site makes an

important contribution to the natural environment and to the pleasant character of the area.

6. The appeal scheme would introduce a new plot within Larice, thereby resulting in two smaller plots, markedly at odds with the linear pattern of properties where the site lies. While the proposed plot size may be comparable with the plots to the east, the pattern of development in that location is markedly different, with the dwellings laid in a cul-de-sac arrangement. As such, while the dwelling would have appropriate gaps to the plot boundaries, the proposal would appear out of place in its receiving context.
7. The proposal would make use of the existing access point to the garage. However, the dwelling would have its front elevation facing onto The Glade, which would appear conspicuous in this location since the dwelling opposite turns its side elevation onto this road. The non-native trees along the boundary would be replaced with a native hedgerow. Nevertheless, any such planting would likely take a considerable amount of time to fully establish to soften the impact. The proposal would therefore result in a development incongruous in its setting and appearing out of character when viewed from the road.
8. The Arboricultural Method Statement (AMS) provided shows that two individual trees and two groups of trees would be removed to accommodate the proposal. These are either category B or category C and are estimated to have 10-20, 20-40 or even 40+ remaining years. Other trees on site would be pruned, including the wellingtonia near the garage. This is a category B tree which is estimated to have 40+ remaining years and is assessed to be in good condition.
9. The Tree Protection Plan shows that the dwelling would not be located within the root protection area of the wellingtonia, nor would its canopy overhang the dwelling. However, a substantial proportion of the driveway and parking spaces would be under the canopies, meaning vehicles parked underneath would likely be affected by fallen tree debris, particularly in windy conditions.
10. There is no dispute between the parties that the dwelling would be provided with appropriate levels of daylight and sunlight. However, a significant proportion of the garden would be under the canopies of the trees. While the retained trees would likely cast some shade over the plot, the proposed removal of the group of trees along the southern boundary would likely provide acceptable light levels within the garden.
11. Nevertheless, for the reasons set out above, I find that the relationship between the proposal and the wellingtonia would likely create pressure to remove or substantially prune this tree. The loss or further reduction of its canopy would undermine its good landscape value and contribution to the character and appearance of the area.
12. I accept that future residents would be aware of the existing wellingtonia at the time of purchase. However, the effects of the tree may not be fully appreciated, particularly as it grows over time. As such, the pressure to prune or remove the tree cannot be ruled out, even if there are examples where trees have been successfully retained near dwellinghouses.
13. Taking all the above into account, the proposed development would be harmful to the character and appearance of the area, with reference to trees within the site.

The proposal would therefore be contrary to Policies DES1, DES2, DES3 and NHE3 of the Reigate & Banstead Local Plan Development Management Plan 2019, where these policies support development of a high-quality design that makes a positive contribution to the character and appearance of its surroundings, has due regard to the layout and plot sizes of the surrounding area, does not involve inappropriate sub-division of existing curtilages, and seek to protect trees.

Other Matters

14. The appellant asserts that the proposal would return a redundant site back into a well-maintained family property. However, there is no specific evidence before me to demonstrate that the land is redundant, nor am I persuaded that this proposal is the sole means to ensure that the site is well maintained.

Planning Balance and Conclusion

15. The proposal would provide an additional smaller residential unit that would contribute to the supply of housing within an urban area. Further, it would support the Government's objective of significantly boosting the supply of homes, albeit the social and economic benefits associated with one single dwelling would be little. Taken together, these benefits attract limited weight in favour of the appeal proposal and do not outweigh the harm that I have identified in relation to the character and appearance of the area.
16. 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. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR