



Appeal Decision

Site visit made on 15 July 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/L3625/W/25/3361242

Foundation House, 42-48 London Road, Reigate, Surrey RH2 9QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Mark Bright of Lodgecrest Developments Limited against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 24/02155/P20AA.
 - The development proposed is the creation of additional storey on to existing office building to provide 7 flats.
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Decision

1. The appeal is dismissed.

Background and Main issue

2. Schedule 2, Part 20, Class AA of the General Permitted Development Order (GPDO) permits the enlargement of detached buildings in commercial or mixed use, consisting of the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey of the building, together with any engineering operations reasonably necessary for the purpose of that construction.
3. For development to be permitted it must satisfy the limitations set out at paragraph AA.1 and the conditions at AA.2. The conditions at AA.2 require developers to apply to the local planning authority for their prior approval in relation to specified matters, set out at sub paragraphs 'a to l'.
4. One of these conditions AA.2 (e) relates to the external appearance of the building, including (i) the design and architectural features of (aa) the principal elevation; and (bb) any side elevation that fronts a highway. The prior approval was refused on the basis that the design and architectural features of the extension would be harmful to the appearance of the building.
5. The Council considered that the development complied with the other conditions set out in Paragraph AA.2 and based on the evidence before me, there is no reason to disagree. As such, there is no need to give them further consideration in this decision.
6. Accordingly, the main issue is whether the proposal would be permitted development under Class AA, with regard to whether the proposal would satisfy condition AA.2(e), with reference to the external appearance of the building.

Reasons

7. Foundation House is a three and four storey office building that faces London Road. The entrance to the building is elevated above ground level. To the rear, the site is lower, and the building appears to have four storeys with basement parking. The fenestration of the building has a vertical emphasis with a projecting curved window extending above the entrance up to the eaves and two storey tall windows dominating the front and rear elevations. A narrow horizontal row of windows run beneath the eaves around the building.
8. Whilst the proposed additional storey would mimic the floor below and replicate the roof and elevational treatments, it would negatively erode the vertical emphasis of the building and unacceptably disrupt its proportions. As a result, the additional storey would result in a top heavy design that would fail to respect the architectural detailing and vertical emphasis of the building.
9. The appellant refers to the neighbouring Douglas House and approval for the re-development of the site to include an increase in its height. However, the specific planning, and policy considerations behind this example are unknown. In addition, if this site is due to be redeveloped, it is likely that that the design of the new building would be comprehensively considered, as opposed to an addition to an existing building. As such, this example is not comparable to the development before me and would not justify a planning permission.
10. Whilst Class AA was designed to extend buildings such as this and the scheme would positively contribute to the delivery of housing in the borough, this does not negate the need to ensure that the proposed design complements the host building.
11. For the reasons above, the proposed development would be harmful to the external appearance of the appeal building. As a result, it would not satisfy condition AA.2(e) of Class AA regarding the external appearance of the building.

Conclusion

12. The proposal would not comply with condition AA.2(e) of Class AA and consequently prior approval cannot be given. Therefore, and for the reasons given above, the appeal is dismissed.

V Goldberg

INSPECTOR