
Appeal Decision

Site visit made on 16 September 2025

by **N Paine BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal Ref: APP/L3625/D/25/3362533

Ivene, 51 London Road South, Merstham RH1 3AX

- 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 Patel against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 24/01978/HHOLD.
 - The development proposed is described as a proposed single and double storey rear extension, proposed double side extension and front extensions with porch, proposed loft conversion with rear dormer, and raised ridge internal modernisation and alterations.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. London Road South includes a range of primarily detached dwellings which front onto the highway but are partly screened from the main thoroughfare of the A23. That said, they are readily visible from the road which serves these dwellings. The appearance and detailed design of dwellings differ within this part of the streetscape, however, there is generally a sense of spaciousness at first-floor and above. This is achieved by the separation of built form from either flank boundaries or the space between buildings themselves. This spaciousness is important as it makes a positive contribution to the character and appearance of the area.
4. The proposed development would extend close to the flank boundary shared with 49 London Road South. While not set exactly on the boundary, the dwelling at No 49 is nonetheless sited close to the shared boundary with the appeal site and this neighbouring dwelling is experienced as a two-storey dwelling with a gable ended roof.
5. The proposed development's proximity to the shared boundary with No 49 in combination with the limited space it would leave between the buildings would appear cramped. As a result, this would harmfully impact on the positive sense of spaciousness at first floor between these buildings. In addition, although the roof would be hipped in nature, it would still occupy space that was otherwise open, and this would also erode the sense of spaciousness at roof level.

6. I have also considered the appeal decision put to me in evidence¹ and I agree that no terracing effect would occur. However, the harm I have found would be different as it relates to the area's spacious characteristics. The Inspector, in this other decision, does not refer to the existing spaciousness of the area. The Inspector also found the character of the dwellings in this other street scene to be staggered and not regimented along the access roads. As I have set out above, the street scene in the current appeal before me has a positive sense of spaciousness and is therefore different to this other appeal decision.
7. From the evidence before me, I do not consider that the other appeal decision is directly comparable to the current appeal before me; this therefore does not alter my overall findings. I also appreciate that the Council found no other harm as part of this proposal, however, compliance with planning policy elsewhere is a neutral consideration and does not outweigh the harm identified above.
8. I have also reviewed the approved scheme². While I note the difference shown between the approved scheme and the appeal before me, the appeal would significantly reduce the gap between the buildings at first floor and above. This difference would lead to unacceptable harm as I have set out in the preceding paragraphs. Finally, there is very limited evidence that the existing building is visually unacceptable in the street scene.
9. Therefore, the proposed development would unacceptably harm the sense of spaciousness to the detriment of the character and appearance of the area. The proposed development would conflict with the relevant provisions of Policy DES1 of the Reigate & Banstead Local Plan Development Management Plan 2019. This, amongst other things, looks to promote attractive, high-quality design which responds to local distinctiveness and legibility of place.

Conclusion

10. The proposal would conflict with the development plan when taken as a whole and for this reason the appeal should be dismissed. There are no material considerations of sufficient weight to indicate a decision should be made contrary to this conclusion.

N Praise

INSPECTOR

¹ Appeal Ref: APP/L3625/D/21/3272213

² Council Ref: 24/01137/HHOLD