
Appeal Decision

Site visit made on 2 September 2025

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2025

Appeal Ref: APP/L3625/W/25/3361735

21 Haroldslea Close, Horley, Surrey RH6 9DZ

- 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 Mrs Andrea Wood against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 23/01763/CU.
 - The development proposed is described as “change of use due to change of circumstances”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is described on both the decision notice and appeal form as a change of use of the outbuilding/garage to short term lets independent of the use of the main dwelling, but the appeal statement clarifies that the proposal is for one letting room only. I have therefore used the following description, which most accurately describes the development: “change of use of the outbuilding/garage to one short term let independent of the use of the main dwelling”.
3. The appellant has confirmed that the use commenced on 24 July 2023. Section 73A of the 1990 Act allows for the submission of retrospective applications, which are subject to the same considerations as those made prior to development commencing.
4. The Council has clarified that the decision notice should have referred to Policy DES9 of the Reigate & Banstead Local Plan Development Management Plan Adopted September 2019 (DMP) and not to Policy DES1. The Council’s officer report assessed the development against Policy DES9. I am satisfied no party has been prejudiced and I have therefore determined the appeal on this basis.

Main Issues

5. The main issues in this appeal are the effect of the development on:
 - the living conditions of occupants of nearby residential properties, with particular reference to noise and disturbance; and
 - highway safety, with particular regard to the provision of parking.

Reasons

Living conditions

6. The appeal site is located in a residential area of Horley near to Gatwick airport. Haroldslea Close is a cul-de-sac of semi-detached dwellings possessing driveways and long back gardens. Planning permission was granted in 2019 to convert an outbuilding at the rear of the property into two habitable rooms with en suites, with a condition limiting their use to purposes ancillary to the residential use of the dwelling¹. Since 2023 the habitable room nearest to the house, along with an adjoining utility room and outdoor sitting area has, when not occupied by a family member, been used for short term holiday lettings via Airbnb.
7. The letting room contains a double bed, giving it a maximum occupancy of two people. The appellant has provided occupancy details for the period from 1 November 2023 to 26 October 2024. During those 12 months the room was let for a total of 204 nights, the majority of those stays being for a single night. Most of the visitors travelled from abroad, with 13% arriving by car. The Council has not disputed the appellant's data, and I likewise have no reason to doubt it.
8. The letting room attracts visitors to Gatwick airport, accounting for the high number of one night stays. The timing of visitors' arrival and departure is dictated by their flight times, and as a consequence some will arrive and leave at unsocial hours. Visitors are unlikely to know the area when they arrive, so may struggle to locate the property, especially in the dark. Visitors arriving from abroad are unlikely to have cars, and the prospect of walking to and from the airport with luggage is unlikely to be attractive. As such, most will rely on taxis, which are likely to wait in the road and turn in the cul-de-sac.
9. The concerns highlighted by interested parties principally relate to the fact that visitors often arrive and leave at unsocial hours, resulting in suitcases being dragging along the pavement and cars/taxis manoeuvring in the street. It is reported that visitors on occasion go to the wrong house or try to gain entry to the wrong rear garden. The result is regular noise and disturbance.
10. Policy DES9 of the DMP guides that development will only be permitted where it can be demonstrated that it will not result in a significant adverse or unacceptable impact on amenity due to, amongst other things, noise. It advises that where there would be potential adverse impacts from pollution, and adequate mitigation cannot be provided, development will not normally be permitted.
11. I note that the appellant lives on site and is therefore able to monitor the property and the movements of visitors. I also note that the information which the appellant provides to visitors has been upgraded to combat the issue of visitors going to the wrong property. However, the evidence shows that the problems associated with the letting room have not abated. I consider that the adverse impacts of the development are inherent in the nature of the activity and are thus not capable of being adequately mitigated.
12. From the evidence before me, I consider that the development is incompatible with a residential road and gives rise to an unacceptable impact on residents. I therefore conclude that the development would adversely affect the living conditions of

¹ LPA reference 19/00096/HHOLD

occupants of nearby residential properties as a result of noise and disturbance, contrary to Policy DES9 of the DMP, the aims of which I have outlined above.

Highway safety

13. The appeal site shares a driveway with No 20, and possesses a paved forecourt in front, meaning that three cars can be parked at the property, with two spaces remaining accessible even when all three spaces are in use. The Council has advised that a dwelling of this size requires two parking spaces, and that a letting room requires one parking space. There is consequently no shortfall in parking provision against the Council's standards.
14. The Council's conclusion that the development could give rise to indiscriminate on-street parking was based on the assumption that there were two letting rooms, in which eventuality there would have been a potential parking shortfall. However, the appellant has clarified that only one letting room is proposed.
15. Interested parties have highlighted the parking problems which currently exist in Haroldsea Close as a result of long term parking associated with Gatwick airport, and I understand that the Council is considering permit parking to combat this problem. However, these problems are not a result of the development.
16. I acknowledge that taxis visiting the site may opt to wait on the road rather than on the driveway, but this in itself would not pose a highway danger. Visitors to the property may choose to park on the road, but as the appellant has demonstrated that only a small proportion of visitors use their own car, this again is unlikely to result in highway danger.
17. My attention has been drawn to cars parked at the property which on occasion overhang the pavement. I do not know the circumstances associated with these occurrences, but as I have concluded that the development makes adequate provision for off street parking in accordance with the Council's standards, I have given limited weight to this evidence.
18. I conclude that the development provides sufficient off street parking and consequently does not pose a danger to highway safety. The proposal accords with Policy TAP1 of the DMP, which requires all types of development to include car parking for residential and non-residential development in accordance with adopted local standards.

Other Matters

19. The appellant has explained that they did not realise that planning permission was required for a letting room, which was originally constructed for use by family members and continues to be used by them when not on deployment in the armed forces. The appellant has highlighted that the income from the letting room has been valuable whilst a family member was convalescing after surgery.
20. Interested parties have highlighted that the appellant is a considerate neighbour and that the objections are based on worst case scenarios rather than everyday life. They report that whilst there are parking issues locally, the development is not adding to them, and they point to the benefits that tourism brings to the local economy.

21. However, none of the above matters weigh sufficiently to overcome the concerns I have identified.

Conclusion

22. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR