



Appeal Decision

Site visit made on 3 March 2026

by A James BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2026

Appeal Ref: APP/L3625/W/25/3376752

17 Woodmansterne Street, Woodmansterne, Surrey, SM7 3NN

- 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 Chirag Amin against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/01431/F.
 - The development proposed is erection of a single-storey detached (2-bed, 3-person) bungalow, with associated amenity space, landscaping, car parking, cycle parking and bin storage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted an updated drawing number ac/pd/03 REV A and drawing number PE 01 REV B. Drawing number ac/pd/03 REV A shows a proposed block plan which has updated private outdoor amenity spaces calculations. Drawing number PE 01 REV B relates to permission 13/01121/CU which shows the layout of 17 Woodmansterne Street. As the submitted drawings provide clarification and do not amend the proposed development, no party would be prejudiced in accepting them. Accordingly, I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to outdoor amenity space and privacy; and
 - the effect of the proposal on the living conditions of the occupiers of the neighbouring building with particular regard to outdoor amenity space; and
 - the effect of the proposal on highway safety with particular regard to car parking for both existing and proposed properties.

Reasons

Character and appearance

Existing

4. Primarily along Chipstead Way are two storey semi-detached dwellings with predominantly red tiled roofs. These properties are set back from the road and this allows for parking and landscaping at the front of the properties. This gives a spacious appearance to the properties which contributes positively to the character of the area. These properties follow a strong building line which gives a sense of uniformity. An exception to this is St Peters Church Hall which is a single storey building with a car park, nevertheless it is set back from the road and follows the building line of Chipstead Way.
5. Chipstead Way joins Woodmansterne Street where there are two different shopping precincts either side of the junction and these form the appearance of a local centre. The shopping precinct across the road from the appeal site is two storeys and has been developed around the corner of the junction. Therefore, these properties have a frontage on both Chipstead Way and Woodmansterne Street. Nevertheless, St Peters Church Hall car park acts as a visual gap between Woodmansterne Street and Chipstead Way.
6. 17 Woodmansterne Street is part of a block of four terrace properties with red tiled roofs which face onto Woodmansterne Street. These properties have commercial use on the ground floor and appear to have residential on the upper floors. These properties have long gardens to the rear, and this gives a degree of separation between properties on Woodmansterne Street and Chipstead Way. This gives a sense of spaciousness which contributes positively to the character and appearance of the area. The appeal site itself is to the rear of 17 Woodmansterne Street within the former garden area which now appears to be used for storing commercial items in conjunction with the commercial unit. There is a small low-profile outbuilding and grassland area within this space. The outbuilding is set back from the road and discrete in the street scene, therefore the visual gap is maintained.

Assessment

7. The proposed development would demolish the outbuilding and erect a single-storey detached bungalow with parking to the south of the site. The proposed development is positioned at the far rear of the local centre. The front elevation of the proposed development would face on to Chipstead Way. Due to this positioning, the proposed development would appear to be part of Chipstead Way rather than Woodmansterne Street or the local centre. The scale and form of the new dwelling would contrast with the established character of Chipstead Way. Even if I were to accept that the proposed development would be perceived as part of the local centre, it would still fail to reflect its established character. The proposal is for a single-storey detached dwelling on a small plot, which contrasts with the prevailing form of Woodmansterne Street and the local centre, characterised by two-storey terraced properties set within long spacious plots.
8. The proposed development would replace the existing low-profile outbuilding with a dwelling of substantially greater scale and height. The proposed development's massing, height and footprint would erode the storage area of 17 Woodmansterne

Street, diminishing the visual gap between Chipstead Way and Woodmansterne Street. It would be minimally set back from Chipstead Way and set forward of the building line of the properties on Chipstead Way. This means that the proposed development would fail to have a spacious appearance and appear cramped within the plot. The proposed materials are shown to be grey clay roof tiles and these materials are not reflective of the red tiles used in Chipstead Way which would further add to the proposed development's prominent appearance in the street scene. Consequently, the proposed development would appear incongruous within the streetscape.

Overall

9. Overall, the proposal would have a significantly harmful impact on the character and appearance of the area. It would therefore be contrary to the relevant provisions of policies DES1 and DES2 of the Reigate and Banstead Development Management Plan 2019 (the DMP). In summary, these policies seek to protect the character and appearance of the area through good urban design principles. It would also not reflect the guidance set out in Reigate and Banstead Borough Council's Local Character & Distinctiveness Design Guide Supplementary Planning Document 2021 which finds that common building line should be retained and plots width should reflect those within the vicinity.
10. The Council's Householder Extensions and Alterations Supplementary Planning Guidance 2004 has been mentioned in the reason for refusal. However, this document relates to householder extensions and alterations, and I consider it not to be directly relevant to this appeal.

Living conditions of future occupiers

11. The appellant submits that the Council does not have any amenity space standards and there is no policy justification for the reason for refusal. However, Policy DES1 of the DMP finds that development must provide an appropriate environment for future occupants and Policy DES5 of the DMP finds that all new residential developments must provide high quality, adaptable accommodation, and provide good living conditions for future occupants. These are consistent with Paragraph 135 (a) and (f) of the National Planning Policy Framework (NPPF) which seek to ensure that development will function well and add to the overall quality of the area and create places with a high standard of amenity for existing and future users. Policies DES1 and DES5 do, therefore, justify the reason for refusal, in-principle.
12. The proposed development would be located in the rear garden of 17 Woodmansterne Street. The uncontested evidence is that the proposed development would have 81m² of soft-landscaped amenity space and 36m² of paved amenity space. However, this takes into account a thin strip of land at the front which would lack privacy due to facing on to a public street. The other parts of the proposed outdoor amenity to the south and west of the proposed dwelling would be narrow with a high privacy fence which makes the space not particularly functional. The quantity of private outdoor amenity space alone does not guarantee the private outdoor amenity space will be of good quality.
13. Furthermore, the positioning of the proposed development within the plot means the main private outdoor amenity space would be overlooked by the first floor flat in 17 Woodmansterne Street and thus the future occupiers would have a lack of

privacy which would be significantly harmful to the living conditions. A landscape condition could be used to create better quality outdoor amenity space. However, I am not satisfied this would be appropriate as landscaping would not overcome the privacy issues I have identified.

14. The poor quality of the layout of the space combined with the lack of privacy taken together means the proposal would not provide acceptable living conditions to future occupiers. This would be contrary to the relevant provisions of policies DES1 and DES5 of the DMP in so far as to relating to living conditions of future occupiers.

Living conditions of neighbouring occupiers

15. On my site visit, I saw that the space to the rear of 17 Woodmansterne Street had a grassed area with an outbuilding. I could see there were some commercial items stored in the space such as a roller cage and shelving. Therefore, it appeared that the former garden is now being used as storage space for the commercial unit. The appellants have also referred to drawing number PE 01 REV B submitted as part of 13/01121/CU which allowed for a part change of use from C3 residential to A1 retail. They indicate that the residential occupants of the first floor accommodation do not have access to the rear amenity space and that rear is used as a storage yard for the commercial unit.
16. It is therefore likely that 17 Woodmansterne Street does not have access to the open space to the rear. Thus, the occupiers of this flat would not lose any private outdoor amenity space, and the existing situation would not materially change in this regard. I acknowledge open space to the rear would be reduced and this may affect how the commercial unit stores its items. However, there is no evidence to suggest the reduction of space would be harmful. Thus, the proposed development would not have a harmful impact on the living conditions of the occupiers of the neighbouring building.
17. In conclusion, the proposed development would comply to the relevant provisions of policies DES1 and DES5 of the DMP in so far as they relate to living conditions of neighbours.

Highway safety

18. Policy TAP1 of the DMP finds the proposed development should meet the parking requirements of Annex 4 of the DMP which are for one space per 30sqm of commercial floorspace and minimum of 2 spaces per dwelling. Two parking spaces are therefore required for the proposed development, which would create one additional dwelling.
19. In this regard, the appellant has clarified in their evidence that an existing garage and driveway is under the appellant's ownership. However, this is not reflected in drawing number AC/PD/01 or AC/PD/03, where the red line is drawn around the garage but not the driveway. This therefore creates ambiguity. Even if this were the case, the parking on the driveway would be tandem in nature and would not allow for two independently accessible spaces. This would likely mean that only one car could park at one time on that space. In addition, it has not been clarified in the evidence how the existing garage is used. That garage would remain behind the parking on the driveway and access to it would be blocked if the driveway was in use.

20. Due to this lack of certainty, there remains potential for an increase in on-street parking pressure on both Woodmansterne Street and Chipstead Way. On-street parking on both Woodmansterne Street and Chipstead Way is already limited and, in some areas, causes the road to become one lane which can make manoeuvring difficult and effect the free flow of traffic. Any displaced parking as a result of the proposed development would add to the narrowing of the highway and likely obstruct the flow of traffic.
21. Overall, based on the evidence provided, I am not satisfied that it has been demonstrated that the proposed development would have an acceptable effect on highway safety, with particular regard to parking. The proposed development would therefore be contrary to the relevant provisions of policy TAP1 of the DMP. In summary, this policy seeks to ensure development has adequate and safe parking arrangements."

Planning Balance

22. The appellant indicates that the Council cannot demonstrate a 5-year supply of deliverable housing sites. However, the Council's latest Housing Monitoring Report demonstrates that as of 1 April 2025 it can demonstrate both a five-year housing land supply of 5.6 years and a housing delivery test of 118%. I am therefore satisfied that the Council can currently demonstrate a five-year housing land supply and is currently meeting the requirements of the housing delivery test.
23. The proposal therefore falls to be considered under the 'flat balance' against the Development Plan. In this regard, the appeal site is on brownfield land and would provide an additional dwelling for the housing land supply. These are important benefits, however the proposal is only for one house, and I place moderate weight on these factors. Overall, these benefits do not outweigh the significant harm to character and appearance, plus the moderate harm to living conditions and highway safety, that I have identified above, and the proposal fails to comply with the Development Plan when considered as a whole. There are no material considerations which indicate that a decision should be made otherwise.

Conclusion

24. For the above reasons, I conclude that the appeal should be dismissed.

A James

INSPECTOR