

**Urban Design Statement of Case for The Conversion of a Former Nursing Home to 8 Flats, Including the Addition of Dormer Windows, and Fenestration Changes, Demolition of Modern Extensions, Conversion and Sunroom/Terrace Extension of the Coach House to 2 Flats, Erection of 27 Flats and Ancillary Accommodation in the Form of 2 New 3 Storey Blocks all for People Aged 55 and Over with Associated Car Parking.**

**Fonthill, 58 Reigate Road, Reigate.**

**On Behalf of Beechcroft Development Ltd.**

Date: January 2023 | Pegasus Ref: P22-3277

LPA Ref: 21/O3270/F

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## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
01	19.01.2023	MC	MC	



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## Executive Summary

This Urban Design Statement of Case has been prepared on behalf of Beechcroft Developments Ltd ('The Appellant') and relates to a planning appeal submitted concerning the proposed development at Fonthill, 58 Reigate Road, Reigate, Surrey RH2 0QN ('The Appeal Site').

This Statement relates to the urban design matters only. Of the four Reasons for Refusal cited, the single reason pertinent to urban design is worded as follows:

**RfR2. The proposed development would, by virtue of the proximity of the north elevations of both proposed blocks of flats and north facing balconies, result in a development which would have a harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy. The proposal would thereby be contrary to policy DES1 of the Development Management Plan 2019.**

RfR2 refers to the "harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy" as the only area of contravention from policy DES1. There is no specific objection on the grounds of overbearing, obtrusiveness or overshadowing.

Having reviewed the design approach I can see a design that is largely similar to the existing approved scheme. This previous approval established the principle of some loss of privacy and overlooking to the properties mentioned.

The change in the level of privacy and overlooking is in my view not materially different.

Furthermore, this proposal is a high quality design, the current proposal has very few design components that the council object to, and that the majority of design components are acceptable, including things that the council policy expects.

I am content the proposals will 'fit' in and will not lead to an adverse impact on neighbouring properties either by overlooking or loss of privacy.

Even when taking into account level differences, it is difficult to see how a separation distance of approximately 20m on one boundary of the site is considered generous, but those in excess of 23m on another is inadequate.

The nature of the site boundaries, many heavily and densely vegetated by mature landscape screens the views into and out of the site.

My evidence demonstrates that the design and layout of the proposed development has been formulated following a well-considered design. The design approach is founded on good urban design practice.

The development addresses the intent to deliver beautiful, enduring, and successful beautiful places set out in the National Design Guide.

In conclusion, there is, in my view, no reason in design terms to refuse planning permission for this appeal.



# 1. Introduction

1.1. This Urban Design Statement of Case has been prepared on behalf of Beechcroft Developments Ltd ('The Appellant') and relates to a planning appeal submitted concerning the proposed development at Fonthill, 58 Reigate Road, Reigate, Surrey RH2 0QN ('The Appeal Site').

1.2. The appeal follows the decision by Reigate and Banstead Borough Council ('The LPA') to refuse an application for full planning permission (LPA ref: 21/03270/F) for a proposed development comprising the following:

**"The conversion of a former nursing home to 8 flats, including the addition of dormer windows, and fenestration changes, demolition of modern extensions, conversion and sunroom/terrace extension of the Coach House to two flats, erection of 27 flats and ancillary accommodation in the form of a two new 3 storey blocks all for people aged 55 and over with associated car parking."**

1.3. The appeal site benefits from an extant planning application (20/02081/F), granted on 20<sup>th</sup> August 2021. The appeal proposals differ from the extant permission due to 8 additional flats included within the new build accommodation on site.

1.4. This Statement relates to the urban design matters only. Of the four Reasons for Refusal cited, the single reason pertinent to urban design is worded as follows:

**RfR2. The proposed development would, by virtue of the proximity of the north elevations of both proposed blocks of flats and north facing balconies, result in a development which would have a harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy. The proposal would thereby be contrary to policy DES1 of the Development Management Plan 2019.**



## 2. Witness Background and Particulars

- 2.1. My name is Michael Carr, and I am the Director in charge of Design and Masterplanning at Pegasus Group. I have over 25 years' experience of designing the built environment.
- 2.2. I hold a First-Class Bachelor of Arts Honours Degree and received a distinction for a subsequent Graduate Diploma in Landscape Architecture. Following this I studied for a Graduate Diploma in Urban Design. I am an affiliate member of the Royal Institute of British Architects and an approved Urban Design Group Recognised Practitioner. I am also a member of the Gloucestershire Design Review Panel.
- 2.3. Pegasus provides design consultancy services for a variety of developments including residential, commercial, leisure, education, and retail projects throughout the United Kingdom. I am regularly asked to present evidence and this is informed by my project work, which involves design from concept to implementation.
- 2.4. A number of projects I have worked on have won RTPI awards and Building for Life accreditations. The Housing Minister has in the past commended two developments I have been involved with, the redevelopment of the former airbase at Heyford Park and Spirit Quarters Coventry, in his speech to a Design Quality Conference.



### 3. Introductions and Scope of Statement

- 3.1. I am instructed on behalf of Beechcroft Developments Ltd to present evidence addressing the urban design issues relating to reason for refusal 2. Planning, Heritage, and Arboriculture issues are dealt with separately.
- 3.2. I became involved with the site after the refusal of the application, I was asked to review the validity of the Council's urban design related concerns in relation to the application. The evidence that I have prepared, and provide in this statement, is true and is given in accordance with the relevant guidance and I confirm that the opinions expressed are my true and professional opinions.
- 3.3. My statement deals with the design issues in relation to the reasons raised by the Council when the application was refused and primarily the design related issues contained within the second reason for refusal as follows:

**“2. The proposed development would, by virtue of the proximity of the north elevations of both proposed blocks of flats and north facing balconies, result in a development which would have a harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy. The proposal would thereby be contrary to policy DES1 of the Development Management Plan 2019.”**
- 3.4. My evidence will assess the site with the applicable built environment principles contained within policy DES1.

## 4. Existing Context

- 4.1. A brief summary of the site description is contained in the Statement of Common Ground (SoCG). In addition, I set out below my brief analysis of the existing site to provide the context for the discussion of the design issues to be addressed in this statement.
- 4.2. Located on the corner of Reigate Road and Ringley Park Road, the site is bounded to its south and west by the highway corridor and its associated land. To the north, existing residential is separated from the boundary via a public footpath providing direct pedestrian only access from Ringley Park Road to The Cedars. To the east lies residential development arranged around Fir Tree Walk. Mature vegetation is present on all boundary sides both within and outside the site boundaries.
- 4.3. The site is part of the Chart Lane Conservation Area and is subject to a Tree Preservation Order. Matters of Heritage and Arboriculture are dealt with by separate statements.
- 4.4. Extending to approximately 1.01ha, the site comprises a former nursing home and Coach House. The principle building (known as Fonthill) is 2.5 storey. A number of extensions have been incorporated over time, which are generally agreed to be unsightly. A further bungalow and a number of additional modern buildings were located to the north west and north eastern corner of the site respectively. The remainder of the site provides the amenity space associated with the former use and mature vegetation.
- 4.5. The site is accessed from the south, directly from Reigate Road. As a result of the dense, mature vegetation at the sites northern and western boundaries, the built form is well screened with only glimpses available from the site access and through gaps in the vegetation.
- 4.6. In the immediate context, residential building heights vary between 2 storey dwellings to 8 storey apartment blocks. The predominant heights are 2 – 4 storey built form, particularly at the north eastern corner and eastern boundary of the site where the presence of taller building heights are particularly prevalent. To the west of the site, separated by Ringley Park Road, Eversfield Care Home is of mixed height ranging from 1.5 – 2.5 storey. Both the property known as Hilliers and 53 The Cedars, to the north of the application site are 2 storeys.
- 4.7. A Design and Access Statement (DAS) dated December 2021 accompanies the application and explains the elements of character that can be found in the surrounding area and the design process involved through a series of context photographs, plans, illustrations and explanatory text. To my knowledge the Council have not made any specific objection to or raised any concerns relating to the DAS.

## 5. Design Related Planning Policy and Guidance

5.1. Relevant Government and local planning policy and guidance will be discussed within the planning evidence. From a design perspective, there are a number of policies and guidance documents (National and Local) that I will consider.

### National Planning Policies

5.2. The NPPF (Core Doc CD1.1) states at Paragraph 8 that the planning system has three interdependent key objectives, which when pursued in a mutually supportive way, can achieve sustainable development. The three key objectives are:

- An economic objective;
- A social objective; and
- An environmental objective.

5.3. There is a presumption in favour of sustainable development, as set out at Paragraph 11.

5.4. The National Planning Policy Framework establishes the emphasis to be placed on good design at Section 12: Achieving well-designed places. Paragraph 124, states:

***“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...”***

5.5. The NPPF is clear at paragraph 130 that design planning policy and decision making should ensure that developments:

***“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***

***b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***

***c) are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***

***d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***

***e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***

***f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”***

- 5.6. This provides the basis for the Council to work with developers to find well rounded design.
- 5.7. The development layout approach is tailored to the site and its intended use, a point which I will expand on in the following sections.

- 5.8. The National Planning Practice Guidance (PPG, Core Doc CD1.34) states at paragraph 1:

***“Well-designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning process, from policy and plan formulation through to the determination of planning applications and the post approval stage.”***

(para. 001, PPG, ID: 26-001-20191001, October 2019)

- 5.9. Being published in October 2019, the National Design Guide (NDG, Core Doc CD1.35) further reinforces the delivery of quality places.

- 5.10. The NDG states at paragraphs 58 and 64 respectively:

***“Where the scale or density of a new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale upon the character of an existing place in its context. New character may also arise from a response to how today’s lifestyles could evolve in the future, or to the proposed methods of development and construction....”***

(NDG, October 2019, Para 58)

***“Well designed new development makes efficient use of land within an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context.”***

(NDG, October 2019, Para 64)

- 5.11. Published in January 2021 by the Ministry of Housing, Communities and Local Government, The National Model Design Code (NMDC, Core Doc 1.36 and 1.37) provides detailed guidance on the production of design codes, guides and policies that promote successful design by expanding on the ten characteristics of good design as set out in the National Design Guide.

- 5.12. The Guidance Notes contained in Part 2 of the NMDC sets out possible contents for a design code. Specifically, at illustration 76, page 74 (extract shown at appendix UDO1), setbacks for privacy show distances of between 15-20m (for back-to-back) and 10m (for back to side). It is further noted that there would not normally be a privacy distances associated with the front of properties.

- 5.13. It is worth noting the National Model Design Code was adopted prior to the application decision being made and available to Officers to refer to in the absence of local policy to steer separation distances.
- 5.14. It should be further noted that protection of views to and from private property, is not covered in national policy, and that English law does not give the owner of a property to right to view across other people's land. The views out from the existing properties across the site are not something that is part of their amenity.

## Local Policy and Guidance

- 5.15. Reference is made to the relevant policies and guidance and Policies and Proposals in the approved Development Plan relevant to this site include:

### **The Reigate and Banstead Local plan: Core Strategy (July 2014) (Core Doc CD1.2)**

- 5.16. In the context of the Reasons for Refusal (RfR), the policies most relevant to urban design are:
- CS1 – Presumption in favour of sustainable development;
  - CS4 – Valued townscapes and the historic environment;
  - CS10 – Sustainable development; and
  - CS11 – Sustainable construction

#### Policy CS1: Presumption in Favour of Sustainable Development

- 5.17. In line with national policy; Policy OS1 places the presumption on favour of development at the forefront of the local decision making process and commits the Council to working proactively and positively with development proposals that accord with local plan policies, when taken as a whole.

#### Policy CS4: Valued townscapes and historic environment

- 5.18. This policy states development will be designed sensitively to respect, conserve and enhance valued townscapes and the historic environment. Development proposals which seek the restoration and re-use of heritage assets will be encouraged. Furthermore, proposals will:

***“a. Reflect high standards of sustainable construction in line with policy CS11***

***b. Be of a high quality design which takes direction from the existing character of the area and reflects local distinctiveness***

***c. Be laid out and designed to make the best use of the site and its physical characteristics, whilst minimising the impact on surrounding properties and the environment***

***d. Protect and where appropriate enhance existing areas of biodiversity value and the links between them.”***

- 5.19. The policy signposts relevant adopted Design and Parking SPD as a further point of reference.

Policy CS10: Sustainable development

- 5.20. This policy establishes efficient use of land, giving priority to previously developed land and buildings within built up areas.

Policy CS11: Sustainable construction

- 5.21. New development is expected to be constructed to a minimum of Code for Sustainable Homes Level 4 or future nationally described standards.

**The Reigate and Banstead Development Management Plan (September 2019) (Core Doc CD CD1.3)**

Policy DES1: Design of new development

- 5.22. Policy DES1 sets the expectation of high quality design that makes a positive contribution to the character and appearance of its surroundings by meeting the following criteria:

***“1. Promotes and reinforces local distinctiveness and respects the character of the surrounding area, including positive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene.***

***2. Uses high quality materials, landscaping and building detailing.***

***3. Has due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.***

***4. Provides Street furniture/trees and public art where it would enhance the public realm and/or reinforce a sense of place.***

***5. Provides an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.***

***6. Creates a safe environment, incorporating measures to reduce opportunities for crime and maximising opportunities for natural surveillance of public places. Developments should incorporate measures and principles recommended by Secured by Design.***

***7. Provides for accessible and sensitively designed and located waste and recycling bin storage in accordance with the Council’s guidance document ‘Making Space for Waste’.***

***8. Incorporates appropriate landscaping to mitigate the impact, and complement the design, of new development. Schemes should:***

***a. protect and enhance natural features by:***

*i. incorporating existing landscaping into scheme design where feasible.*

*i. integrating new landscaping, both hard and soft, and boundary treatments which use appropriate local materials and/or species.*

*b. Provide details about how future maintenance of existing and new landscape works will be managed. Where necessary, conditions will be used to secure the delivery of landscaping schemes, protection of natural features during the course of development and requirements for replacement planting.*

**9. Achieves, where applicable, an appropriate transition from the urban to the rural.**

**10. Makes adequate provision for access, servicing, circulation and turning space, and parking, taking account of the impact on local character and residential amenity, including the visual impact of parked vehicles (see also TAP1).**

**11. Is accessible and inclusive for all users, including for people with disabilities or mobility constraints (See also DES7).**

**12. Respects aerodrome safeguarding requirements.”**

5.23. Item 5 of the policy covers issues of amenity.

5.24. Of the above 12 design requirements in that policy, I note that the council only object in relation to item 5.

5.25. Furthermore, within that item 5 only 2 sub issues (privacy and overlooking) are objected to.

Policy DES5: Delivering high quality homes

5.26. This policy sets the expectation for all new residential development to provide high quality, adaptable accommodation, and provide good living conditions for future occupants.

**RBBC Local Character & Distinctiveness Design Guide SPD (June 2021) (Core Doc CD1.39)**

5.27. Formally adopted after the submission of the application, the guide sets out detailed guidance to accompany the policies in the Councils Local Plan. It states that it is not intended to be prescriptive.

5.28. In terms of overlooking and privacy I note the following;

***Designing for Privacy***

***6.15. Designing at higher densities does not necessarily mean a loss of privacy. Privacy can be achieved through:***

***The layout of the street to create oblique views across the street.***



***On narrower streets, rooms needing less privacy should face the street with bedrooms located towards the more private parts of the home, typically at the rear.***

***The careful positioning of windows can enable dwellings to be closer together, while still providing surveillance of the public realm.***

***Walls, hedges and trees can limit overlooking between facing rear windows.*** (my emphasis, and I note the relationship is more back to side in the proposal)

- 5.29. The SPD also sets out a number of design case studies covering a wide variety of developments within the district.
- 5.30. The SPD also has principles to guide the design of new residential development within the district. Rather than set out each principle individually they are discussed in the context of the appeal proposals in the following sections of this statement.

## 6. Design Approach

- 6.1. An explanation of the background to the application is set out in planning evidence and in the documents accompanying the application
- 6.2. In line with National and Local Government Guidance and Policy, considerable importance needs to be placed on achieving a high standard of design across the site. Successful urban design is dependent upon achieving an appropriate relationship between policy requirements, community needs, development form, design components and a positive response to local conditions.
- 6.3. It is important to recognise that the design approach was led by townscape, landscape analysis and evolved via a logical well considered process.
- 6.4. It should also be noted that a previously approved design is very similar to the revised design. This point shall be expanded further below.

### Design Principles

- 6.5. The proposal seeks consent for the demolition of the modern extensions, conversion of the vacant former nursing home to 8 flats, conversion of the Coach House to 2 flats, erection of 27 new flats and ancillary accommodation in the form of a new block to the north of the site (rear of the existing built form), together with associated car parking and amenity space. Site access will remain as existing.
- 6.6. The proposals represent similar approved proposals under 16/00043/F and 20/02081/F. Principal areas of difference are the increased efficiencies within the new build element, resulting in an increase in 8 no. flats.
- 6.7. The accommodation provided will be exclusively for over 55's.
- 6.8. The conversion of the main building and Coach House are as previously proposed and consented.
- 6.9. The elements of built form are as previously proposed and consented.
- 6.10. The new block will comprise a mix of 1 bed, 2 bed and 3 bed apartments and duplex arranged over 3 floors and organised around two central cores which include stair and lift access. The height of the proposed new building is 2.5 storey with the third floor reading as accommodation within the roof space.
- 6.11. This ensures the new block is subservient to the main building both in terms of its height prominence and its location to the rear of the site.
- 6.12. A total of 47 car parking spaces, including 8 visitor spaces have been provided.
- 6.13. Proposed materials are to be stone and red brick to match the existing main building. Window frames and bargeboards are to be white; rainwater goods, balconies and railings will be black.
- 6.14. Existing vegetation is to be retained in situ with appropriate management and maintenance plans. Specifics relating to the arboriculture on the site are dealt with by separate statement.

- 6.15. Ample shared and managed outdoor amenity space is provided for all residents to enjoy throughout the site. The principal area is located centrally between the existing main house and the new block. An existing tree is retained as a focal point for the shared garden.
- 6.16. The overall design approach is one of quality and from my perspective should be commended.
- 6.17. It should be noted that the landscape design approach, including retained and proposed boundary planting, for the original application (20/02081/DET12) has been approved (drwg. ref BEE23659-11E, Core Doc CD1.45 & CD1.46) and is effectively common ground as an acceptable approach.
- 6.18. A number of plans and illustrations forming part of the submission to demonstrate the similarities between the appeal proposals and the previously consented scheme. These being:
- Footprint Comparison Plan – Drwg ref 193-103-P2 (appendix UD02); and
  - Comparison Elevations – Drwg ref 193-112-P4 (appendix UD03).
- 6.19. Additionally further plans and 3d renders have been prepared to represent the proposals in their context and provide additional information. These being:
- Indicative Renders – Core Doc CD1.40 (extracts shown at appendix UD04)
  - Site Sections (appendix UD05);
  - Site Plan – measurements – Drwg ref 193-129 (appendix UD06); and
  - Comparison Elevations – height measurements (appendix UD08).
- 6.20. The Site Plan – measurements drawing demonstrates separation distances of approximately 29m, 23m and 26m between the proposal new block and Hilliers, 53 The Cedars and Fir Tree Walk respectively. The previously consented scheme achieved separation distances of approximately 29.6m, 27m and 35m.
- 6.21. When comparing the proposed and consented elevations, the change is negligible. Whilst the proposed are slightly longer in width when viewed from the north, there is no perceptible change in height and the blocks are situated in broadly the same position within the site.
- 6.22. The illustrative renders included demonstrate a number of viewpoints within the appeal proposals and from the existing dwellings in question. These demonstrate the relationship between the proposals and the existing dwellings is limited in terms of overlooking as a result of the separation distances, the existing levels and the intervening vegetation.

## 7. Design Analysis of Reason for Refusal 2

***"The proposed development would, by virtue of the proximity of the north elevations of both proposed blocks of flats and north facing balconies, result in a development which would have a harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy. The proposal would thereby be contrary to policy DES1 of the Development Management Plan 2019."***

- 7.1. This section will provide my evidence on how the site proposals represent an acceptable response to the redevelopment of previously developed land and buildings in accordance with policy DES1.
- 7.2. It is noted that RfR refers to number 62 The Cedars. It is assumed that this is an error and instead number 53 The Cedars was the intended reference.
- 7.3. Policy DES1 sets the expectation of high quality design that makes a positive contribution to the character and appearance of its surroundings by meeting the following criteria:

***"1. Promotes and reinforces local distinctiveness and respects the character of the surrounding area, including positive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene.***

***2. Uses high quality materials, landscaping and building detailing.***

***3. Has due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.***

***4. Provides Street furniture/trees and public art where it would enhance the public realm and/or reinforce a sense of place.***

***5. Provides an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy. (my emphasis)***

***6. Creates a safe environment, incorporating measures to reduce opportunities for crime and maximising opportunities for natural surveillance of public places. Developments should incorporate measures and principles recommended by Secured by Design.***

***7. Provides for accessible and sensitively designed and located waste and recycling bin storage in accordance with the Council's guidance document 'Making Space for Waste'.***

***8. Incorporates appropriate landscaping to mitigate the impact, and complement the design, of new development. Schemes should:***

**a. protect and enhance natural features by:**

**i. incorporating existing landscaping into scheme design where feasible.**

**i. integrating new landscaping, both hard and soft, and boundary treatments which use appropriate local materials and/or species.**

**b. Provide details about how future maintenance of existing and new landscape works will be managed. Where necessary, conditions will be used to secure the delivery of landscaping schemes, protection of natural features during the course of development and requirements for replacement planting.**

**9. Achieves, where applicable, an appropriate transition from the urban to the rural.**

**10. Makes adequate provision for access, servicing, circulation and turning space, and parking, taking account of the impact on local character and residential amenity, including the visual impact of parked vehicles (see also TAP1).**

**11. Is accessible and inclusive for all users, including for people with disabilities or mobility constraints (See also DES7).**

**12. Respects aerodrome safeguarding requirements."**

7.4. RfR2 refers to the **"harmful impact upon the amenities of the neighbouring dwellings Hilliers Ringley Park Road and 62 The Cedars and their gardens by way of overlooking and loss of privacy"** as the only area of contravention from policy DES1. There is no specific objection on the grounds of overbearing, obtrusiveness or overshadowing.

7.5. No specific, formal urban design objections have been raised in relation to:

- The promotion and/or the reinforcement of local distinctiveness and character, nor to the appearance of the immediate street scene;
- Proposed materials, landscaping or building detailing;
- Layout, density, plot sizes, scale, massing, height and roofscapes;
- Proposed street furniture or relationship with the public realm;
- Creation of a safe environment and the incorporation of Secure by Design principles;
- Refuse strategy;
- Landscape proposals; and
- Means of access.

7.6. I also note that the original approval had a similar arrangement of rooms, including internal habitable rooms (as defined by Approved Document M: access to and use of buildings, volume 1: dwelling, Core Doc CD1.38) on the northern edge. The consented floor plans are shown at Core Doc CD1.32 and CD1.33.



- 7.7. Taking each of the existing properties referred to in turn, my evidence will demonstrate the proposals to be acceptable responses which carefully consider the amenities of neighbouring dwellings in respect of overlooking and loss of privacy.
- 7.8. Located to the north of the application site, the residential property known as Hilliers is set amongst a substantial plot with a network of mature vegetation within and to its site boundaries. The principal house is set centrally within its plot with what appear to be garages/carport adjacent to its eastern and southern boundary. The orientation of Hilliers is such that its front elevation faces south towards the site. The photo and previous sales particulars shown at UDO7 demonstrate only one habitable room at first floor presents a window towards the appeal site.
- 7.9. Hilliers and the appeal site are separated by a public footway connecting Ringley Park Road and The Cedars.
- 7.10. There are level differences between Hilliers and the appeal site and the relationship between the two is illustrated in the sections contained at UDO5.
- 7.11. The appeal proposal and Hilliers are separated by approximately 29.6m from elevation to elevation with dense, mature vegetation, the public footpath and the garage associated with Hilliers in between.
- 7.12. Again, located to the north of the application site, 53 The Cedars is a two storey dwelling set within a proportionate plot. It is separated from the appeal site by the aforementioned public footway and presents a blank side elevation to the appeal site.
- 7.13. There are level differences between 53 The Cedars and a section through are included at the appendices.
- 7.14. The appeal proposal and 53 The Cedars are separated by approximately 23.3m from side elevation to elevation with mature vegetation and the public footpath in between.
- 7.15. It is worth noting there are no adopted separation distances to guide development, nor are any referred to within SPD/SPG.
- 7.16. In the absence of any adopted distances, common practice would be to achieve approximately 12m back to side and minimum 21m back-to-back distances. The appeal proposals are in excess of these generally recognised minimum standards.
- 7.17. In fact, the separation distances are in excess of the minimum 20m (back-to-back) and 10m (back to side) noted in the relatively recently produced National Model Design Code.
- 7.18. It is worth noting the Officer report when assessing Neighbour Amenity states of the relationship between the Coach House and properties to the east that **“there are also generous separation distances between these dwellings.”** The separation distances from elevation to elevation are approximately 20m.
- 7.19. It should also be noted that the Hilliers and properties on The Cedars have an existing back-to-side relationship (with consequential overlooking and privacy) of approximately 20m, they currently live in dwellings with overlooking, that is inherent in an urban area such as this.



- 7.20. Furthermore, the appeal site is separated from the existing properties by a publicly accessible footpath, so there is not (and never was) a private garden to private garden relationship. It is wholly appropriate and encouraged by adopted SPD to create appropriate street frontage to public and semi-public areas.
- 7.21. The orientation of Hilliers is such that its front elevation faces south towards the site with only one habitable room at first floor that presents a window towards the appeal site. Any overlooking or loss of privacy between windows of habitable rooms are very limited.
- 7.22. As noted previously, the landscape design approach, including retained and proposed boundary planting, has been agreed and has been demonstrated within the visuals submitted.
- 7.23. It is my opinion that the relationships created between the appeal proposals and the existing dwellings to the northern boundary are acceptable and would not give rise to unacceptable levels of overlooking or loss of privacy. Views into and out of the appeal site are heavily screened by the mature, vegetation which is to be retained and managed to ensure its longevity.

## 8. Conclusions and Summary

- 8.1. Having reviewed the design approach I can see a design that largely similar to the existing approved scheme.
- 8.2. The change in the level of privacy and overlooking is in my view not materially different.
- 8.3. Furthermore, this proposal is a high quality design, the current proposal has very few design components that the council object to, and that the majority of design components are acceptable, including things that the council policy expects such as:
- The promotion and/or the reinforcement of local distinctiveness and character, nor to the appearance of the immediate street scene;
  - Proposed materials, landscaping or building detailing;
  - Layout, density, plot sizes, scale, massing, height and roofscapes;
  - Proposed street furniture or relationship with the public realm;
  - Creation of a safe environment and the incorporation of Secure by Design principles;
  - Refuse strategy;
  - Landscape proposals; and
  - Means of access.
- 8.4. In addition, the proposal delivers what the area needs in terms of;
- i. A well-planned development structure;
  - ii. Retains the existing notable landscape features in situ and proposed a future maintenance regime to ensure their continued longevity;
  - iii. Varied built form with a range of heights stepping up and down creating diversity and character to the area; and
  - iv. A mix of accommodation to cater for different needs.
- 8.5. I am content the proposals will 'fit' in and will not lead to an adverse impact on neighbouring properties either by overlooking or loss of privacy.
- 8.6. Even when taking into account level differences, it is difficult to see how a separation distance of approximately 20m on one boundary of the site is considered generous, but those in excess of 23m on another is inadequate.
- 8.7. The nature of the site boundaries, many heavily and densely vegetated by mature landscape screens the views into and out of the site. However, additional landscaping can be incorporated and secured via an appropriately worded condition.
- 8.8. My evidence demonstrates that the design and layout of the proposed development has been formulated following a well-considered design. The design approach is founded on good urban design practice.



- 8.9. I am therefore content that proper consideration has been given to the design approach and that the design is appropriate to the context, making efficient use of the land whilst appropriately respecting the neighbouring properties.
- 8.10. In line with paragraph 130 of the NPPF, in my view the proposals at appeal:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.11. The development addresses the intent to deliver beautiful, enduring, and successful beautiful places set out in the National Design Guide.
- 8.12. In conclusion, there is, in my view, no reason in design terms to refuse planning permission for this appeal.



## **Appendix UD01**

**NMDC, Pg 74 extract**

## H.2 Health and Wellbeing

186. A considerable amount of time is spent daily in the home environment. Internal home quality and its immediate surroundings are key determinants of the health status of the general population and those from vulnerable and protected characteristics groups.

187. The built environment has a significant impact on people's health and wellbeing. This relates across the design code with regard to walkable neighbourhoods, access to greenery and recreation, attractive buildings and public spaces, space standards, and strong communities. There are also specific elements relating to the impact of the design of homes and buildings that affect wellbeing including daylight, aspect and privacy, noise mitigation, security and access to private outdoor space.

### H.2.i Lighting Aspect and Privacy

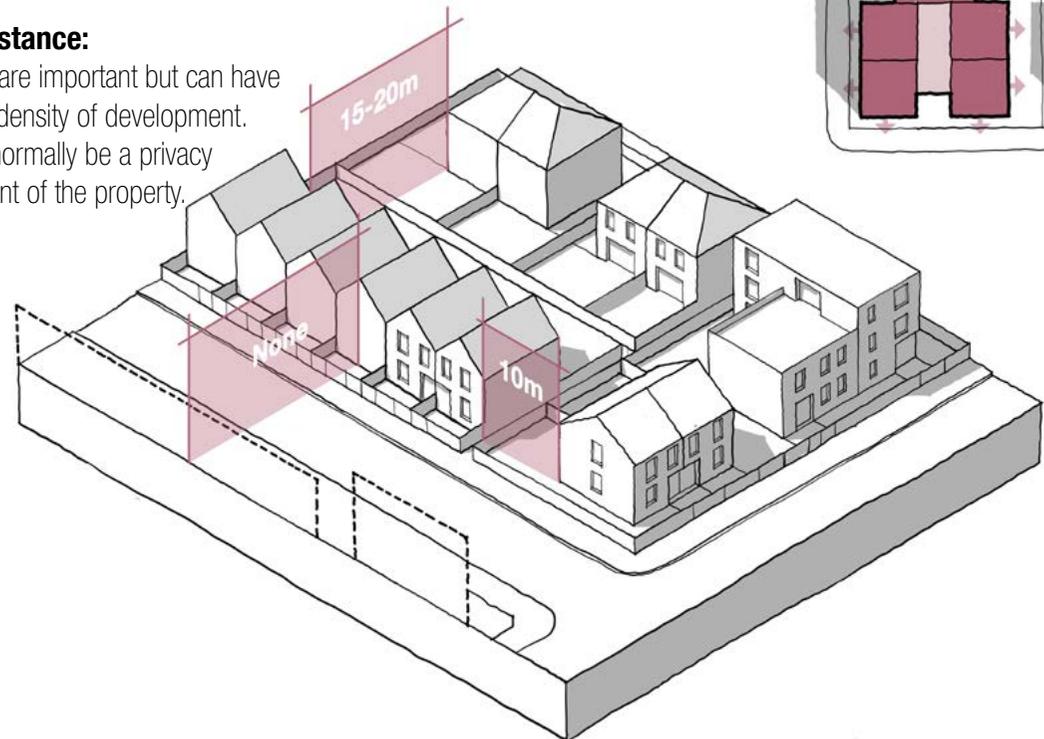
188. Good quality housing creates a pleasant indoor environment with adequate levels of natural lighting, and sunlight, without problems of overheating, good quality ventilation, privacy from overlooking and minimal noise impact. In preparing design

codes, consideration needs to be given to:

- Internal layouts that maximise access to natural daylight.
- Appropriate levels of glazing to ensure adequate internal lighting without problems of overheating. (see Section R1)
- Dual aspect apartments particularly on north facing blocks.
- Application of privacy distances and their effect on layout.
- Front gardens and privacy strips.

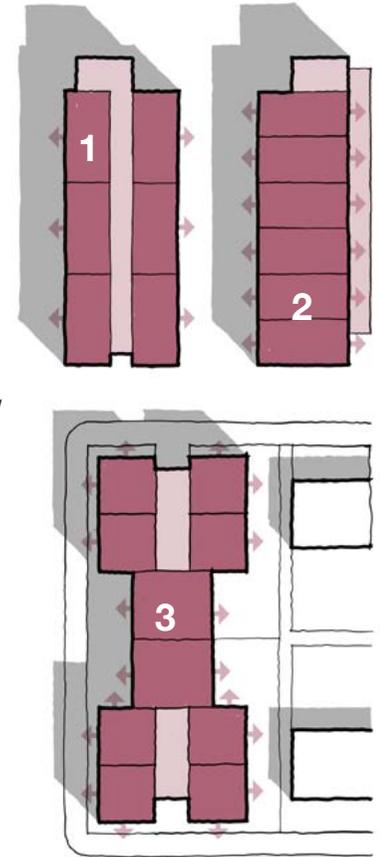
#### 76. Privacy Distance:

Privacy distances are important but can have an impact on the density of development. There would not normally be a privacy distance at the front of the property.



#### 77. Dual Aspect Apartments:

1. Single aspect flats should not face north.
2. Apartments accessed from a balcony have two aspects.
3. Walk-up apartments can also be designed so that every apartment has two aspects





# Appendix UD02

## Footprint Comparison Plan



Consented New Footprint =  
694.3sqm

Proposed New Footprint =  
973.9sqm

Difference = 279.6sqm



P2	07.06.22		CV	RM
P1	29.04.22		CL	RM
Rev	Date	Description	Drawn	Checked

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**Client**  
**Beechcroft Developments Ltd**

**Project**  
**Fonthill, Reigate**

**Drawing**  
**Consented Scheme Comparison Site Plan**

**Scale**  
1:500@A3

Project No.	Drawing No.	Revision
193	103	<b>P2</b>

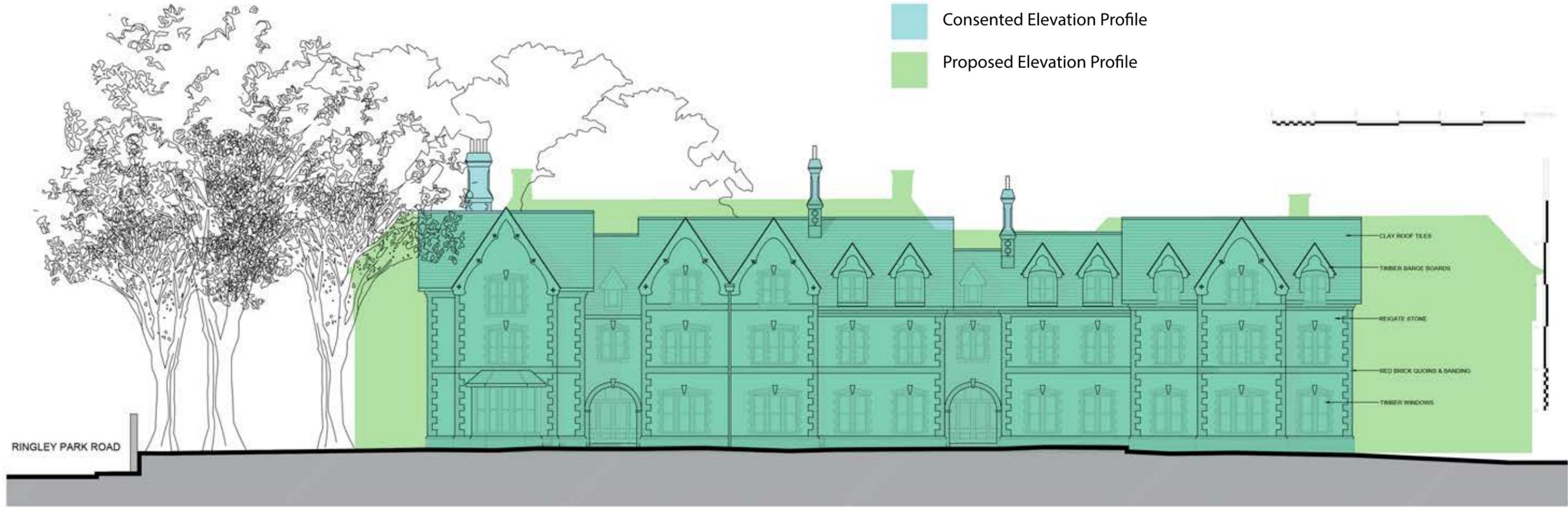
Status	Date	Drawn by	Checked by
P	Oct21	LN	RM



# Appendix UD03

## Elevation Comparisons

Consented Elevation Profile  
Proposed Elevation Profile



FRONT ELEVATION (SOUTH)



REAR ELEVATION (NORTH)

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**Beechcroft Developments Ltd**

**Project**  
**Fonthill Reigate**

**Drawing**  
**Comparison Elevations**

**Scale**  
1:500 @ A3

Project No.	Drawing No.	Revision
193	112	P1

Status	Date	Drawn by	Checked by
Prelim	Sep21	LN	RM





# Appendix UD04

## Indicative Render Extracts



View point - 1.5m from 1st floor balcony



View point - 1.5m from 1nd floor balcony



View point - 1.5m from 2nd floor balcony



Current view from driveway

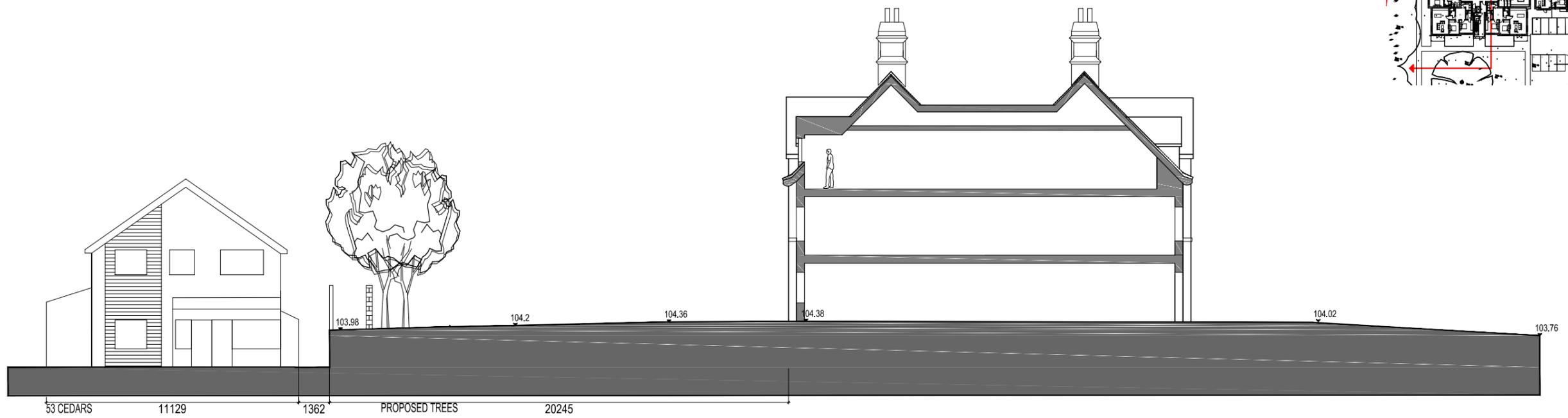
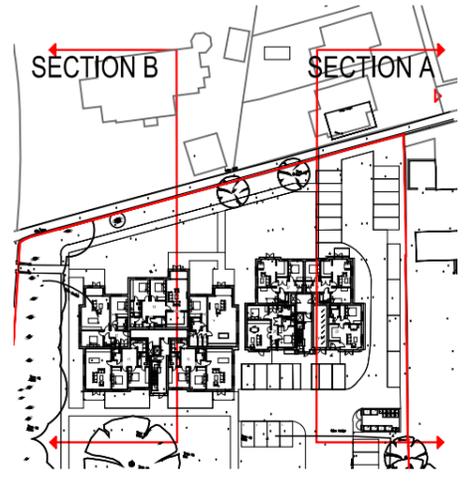


Current view from garden

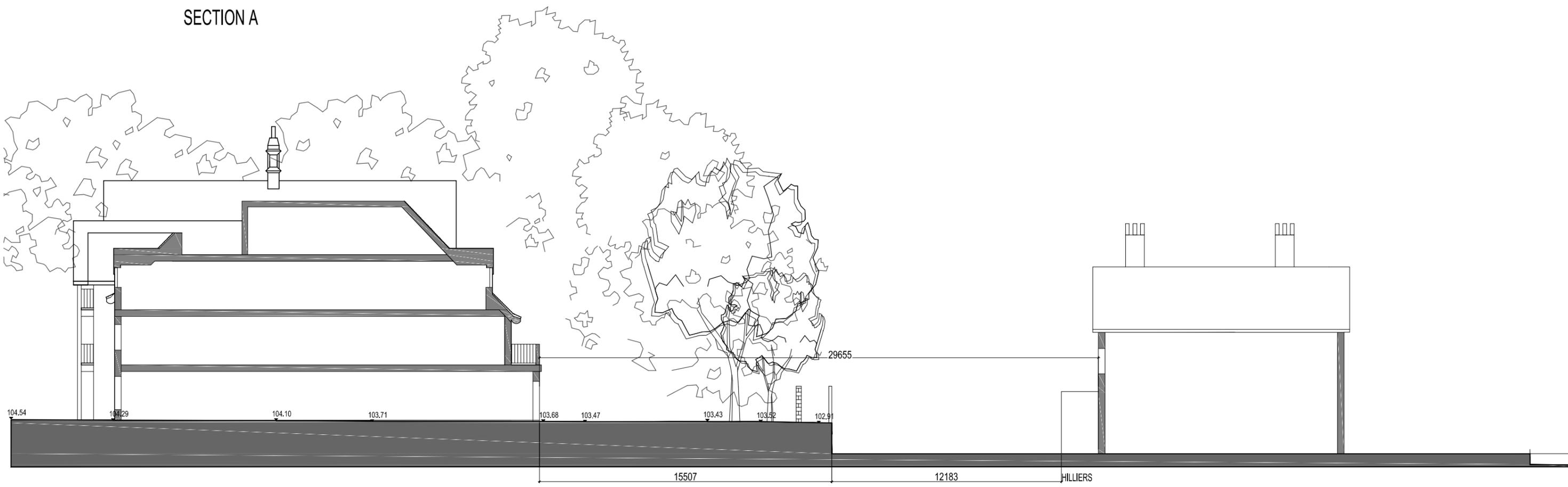


# Appendix UD05

## Cross Sections



SECTION A

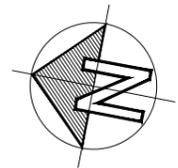


SECTION B



# Appendix UD06

## Site Plan – measurements



 Consented scheme

Consented New Footprint = 694.3sqm

Proposed New Footprint = 972.5sqm

Difference = 278.2sqm

Rev	Date	Description	Drawn	Checked

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**Beechcroft Developments Ltd**

**Project**  
**Fonhill, Reigate**

**Drawing**  
**Site Plan - measurements**

**Scale**  
1:500@A3

Project No.	Drawing No.	Revision
193	129	

Status	Date	Drawn by	Checked by
P	Jan23	CV	RM



## Appendix UD07

### Hilliars Sales particulars

(Particulars available for download from  
[https://www.rightmove.co.uk/properties/127257452#/?channel=RES\\_BUY](https://www.rightmove.co.uk/properties/127257452#/?channel=RES_BUY))



**HILLIERS**

*RINGLEY PARK ROAD, REIGATE, RH2 0RA*

**Hamptons**

THE HOME EXPERTS





## *Substantial 6-bed family home with extensive gardens*

**Hilliers, Ringley Park Road, Reigate,  
RH2 0RA**

**Freehold**

- **Six Bedrooms**
- **Five Reception Rooms**
- **Three Bathrooms**
- **Close To Station**
- **Large Gardens**
- **Parking For Numerous Cars**

An attractive period property in a prime location  
between Reigate and Redhill with six bedrooms, four  
receptions and secluded gardens

### **Features**

Six bedrooms, Three bath/shower rooms, Sitting room,  
Dining room, Family room, Conservatory, Kitchen/breakfast  
room, Utility, Cellar, Private driveway parking, Garage,  
Covered carport, Gardens, Total of approx. 5042 sq ft

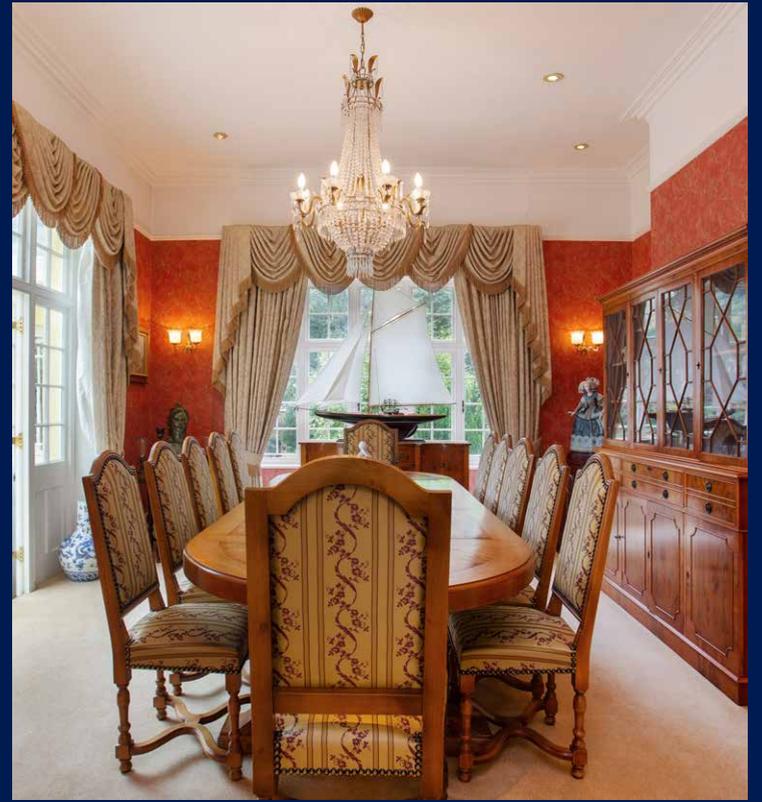
## Description

Situated in a generous plot close to the amenities of Reigate and Redhill is this detached Victorian house dating back to 1898 and offering a wealth of character. Highlights include sympathetic interiors, period features and numerous spacious reception rooms with double height ceilings and large windows, which combine to create bright and airy spaces that are flooded with natural light and ideal for entertaining friends and family. The rooms are well-proportioned throughout and many enjoy a green outlook across the pleasant gardens.

The accommodation is extensive, providing approximately 5042 sq ft of flexible living space across four floors. A welcoming entrance hall opens onto a grand sitting room with ornate open fireplace and chandelier. Both the sitting room and adjoining formal dining room have large bay windows and French doors surrounded by transom windows that lead through to a substantial conservatory featuring a stunning glass roof, bifold doors to the patio and stained glass porthole window with a floral motif. A bright family room with display cabinets, feature fireplace and decorative cornicing is an excellent alternative for relaxing or hosting. Fully fitted with painted wood units, granite worktops and appliances, the country-style kitchen is a social hub with its central island and open plan octagonal breakfast room. The ground floor accommodation is completed by a dual aspect office and handy WC, while a basement level houses a utility room and cellar storage.

An elegant dark wood staircase leads to the first floor, where the classical interiors continue into four well-proportioned bedrooms and a family bathroom. The principal bedroom boasts a separate dressing room with fitted wardrobes and a large en suite bathroom with integrated bath, separate cubicle shower and twin basins. Two further bedrooms can be found on the second floor.





## Outside

Set on a private residential road made up of detached houses set in pleasant plots, this attractive tile-hung and mock Tudor style property is accessed via a gated brick-paved driveway, with additional parking space to be found in a detached garage and covered double carport.

The sizeable rear garden is mostly laid to lawn and surrounded by a variety of tall trees, hedging and fencing, for a good degree of seclusion. A large walled patio is set to the side of the property and can be accessed directly from the conservatory, creating an exceptional space for indoor/outdoor entertaining and al fresco dining.

## Situation

Hilliers is situated in a convenient position just off the Reigate Road within a mile of Reigate's mainline train station, which offers fast and frequent commuter services to London Victoria in about 40 minutes. There are also excellent road links locally, with the M25 and M23 providing connections to London, the South Coast and the wider motorway network, whilst Gatwick airport is around seven miles distant. Both Reigate and Redhill town centres are easily accessible and offer a comprehensive range of shops and boutiques including M&S Simply Food and the Belfry shopping centre. There is also a good range of restaurants, cafes and wine bars within each town. The area is well served with both state and independent schools for all ages including Reigate Grammar, Parish Primary, Reigate College, St Bede's, Dunottar, Micklefield, The Hawthorns, Priory and Holmesdale, in addition to the Royal Alexandra & Albert boarding School.

## Additional Information

Council Tax Band: G

Local Authority: Reigate & Banstead Council.





The Prime team would be delighted to show you around this property.

**Jonathan Higginson**

01737 244422

[higginsonj@hamptons.co.uk](mailto:higginsonj@hamptons.co.uk)

**Reigate**

01737 244422

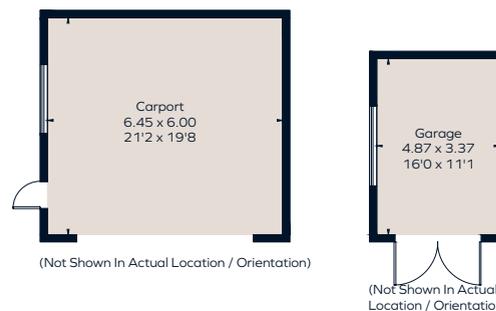
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**Head Office**

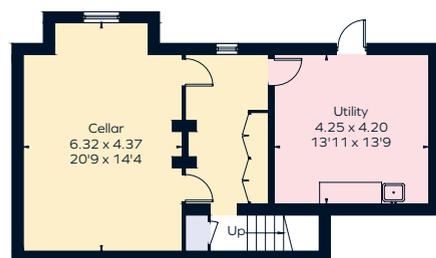
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London SW1W 8AH

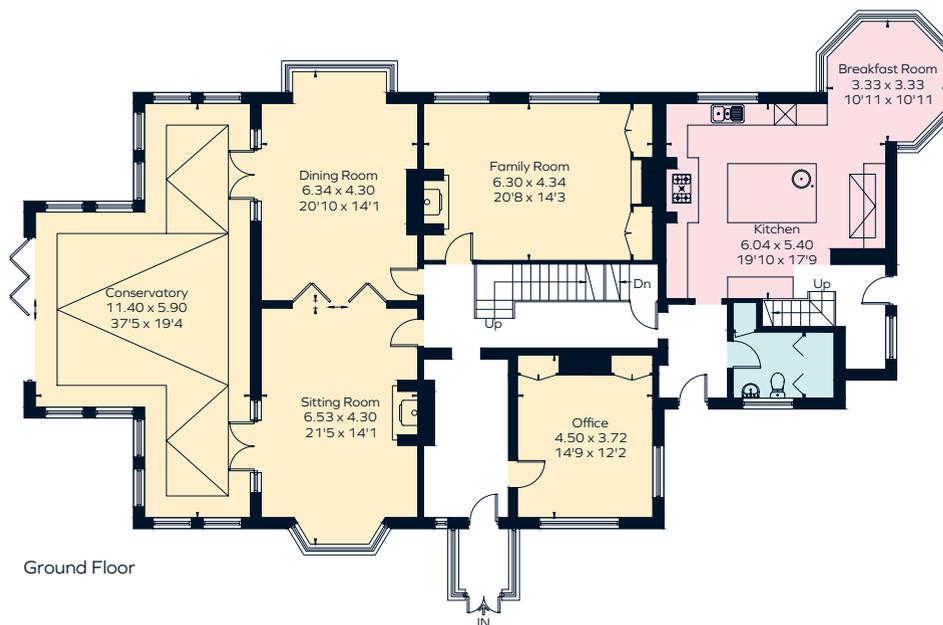
[hamptons.co.uk](http://hamptons.co.uk)



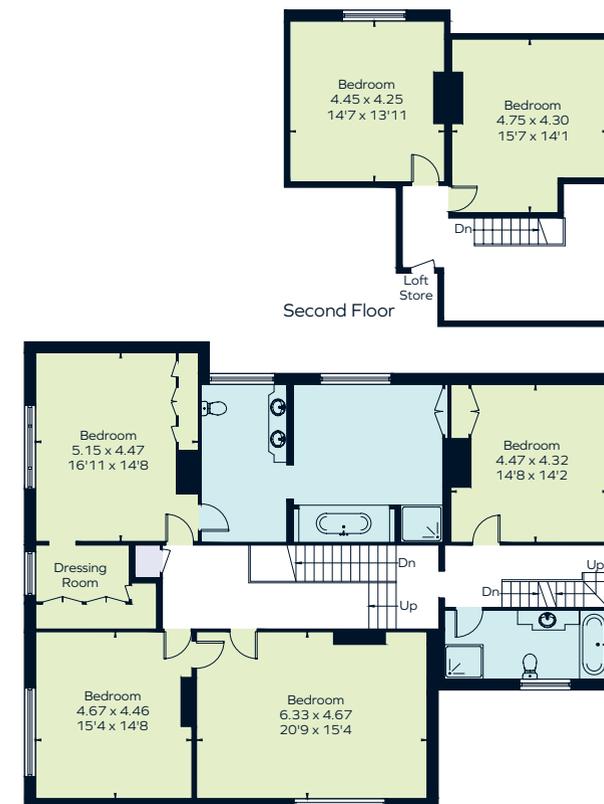
□ = Reduced head height below 1.5m



Basement



Ground Floor



First Floor

Second Floor

## Hilliers

Approximate Area 468.4 sq m / 5042 sq ft Basement 59.0 sq m / 635 sq ft Garage 16.4 sq m / 176 sq ft (Excluding Carport)  
Total 543.8 sq m / 5853 sq ft Including Limited Use Area (1.9 sq m / 20 sq ft)

### For Clarification

We wish to inform prospective purchasers that we have prepared these sales particulars as a general guide. We have not carried out a detailed survey, nor tested the services, appliances and specific fittings. Room sizes are approximate and rounded: they are taken between internal wall surfaces and therefore include cupboards/shelves, etc. Accordingly, they should not be relied upon for carpets and furnishings. Formal notice is also given that all fixtures and fittings, carpeting, curtains/blinds and kitchen equipment, whether fitted or not, are deemed removable by the vendor unless specifically itemised within these particulars.

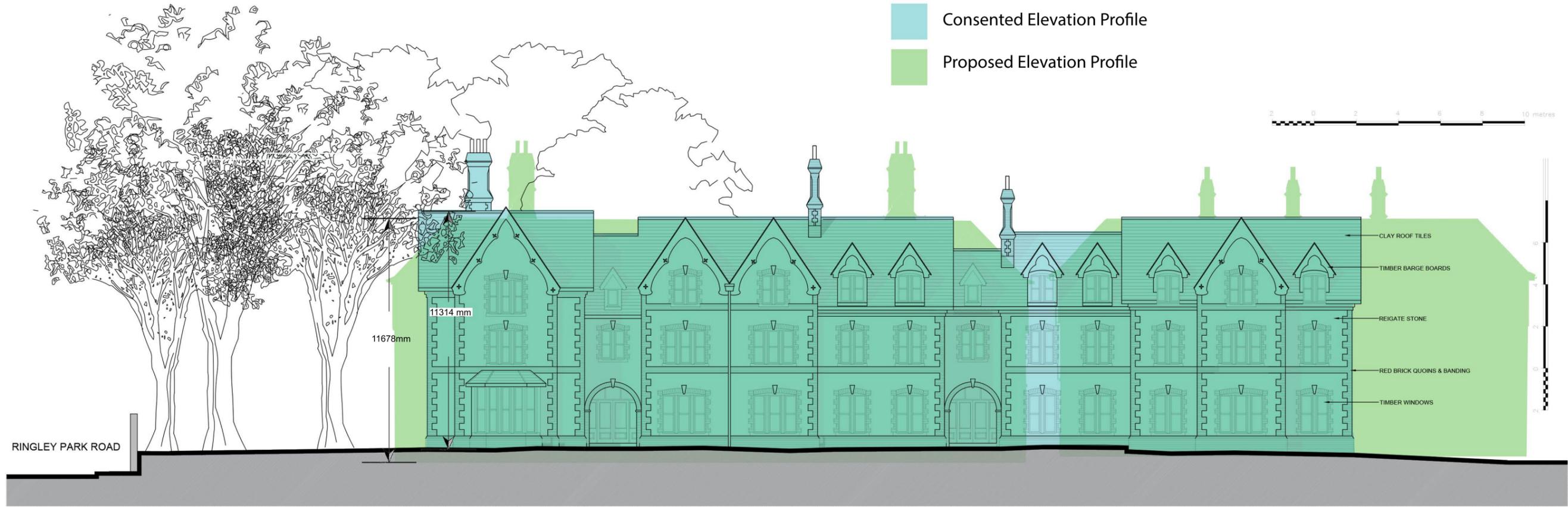
Energy Efficiency Rating		Current	Potential
Very energy efficient - lower running costs			
(92+)	A		
(81-91)	B		
(69-80)	C		80
(55-68)	D	61	
(39-54)	E		
(21-38)	F		
(1-20)	G		
Not energy efficient - higher running costs			
England & Wales		EU Directive 2002/91/EC	



## **Appendix UD08**

### **Comparison Elevations – height measurements**

Consented Elevation Profile  
Proposed Elevation Profile



FRONT ELEVATION (SOUTH)



REAR ELEVATION (NORTH)



P2	29.04.22		CV	RM
Rev	Date	Description	Drawn	Checked

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**Client**  
**Beechcroft Developments Ltd**

**Project**  
**Fonthill Reigate**

**Drawing**  
**Comparison Elevations**

**Scale**  
1:500 @ A3

<b>Project No.</b>	<b>Drawing No.</b>	<b>Revision</b>
193	112	P2

<b>Status</b>	<b>Date</b>	<b>Drawn by</b>	<b>Checked by</b>
Prelim	Sep21	LN	RM

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

**Cirencester**

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