
Appeal Decision

Site visit made on 23 September 2016

by **R J Maile BSc FRICS**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 September 2016

Appeal Ref: APP/K3605/D/16/3154604
77 Tilt Road, Cobham, Surrey, KT11 3EZ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Sandra Pratt against the decision of Elmbridge Borough Council.
 - The application, ref: 2016/0745, was refused by notice dated 1 June 2016.
 - The development proposed is: "The erection of a single storey rear extension, two storey side extension and alterations to the roof."
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension, two storey side extension and alterations to the roof at 77 Tilt Road, Cobham, Surrey, KT11 3EZ in accordance with the terms of the application ref: 2016/0745, dated 3 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Before first occupation of the development hereby permitted the window serving the bathroom at first floor level shall be fitted with obscured glass, shall be non-opening below a level of 1.7m above finished floor level and shall be permanently retained in that condition.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan:	scale 1:1250.
Block Plan/Site Plan:	scale 1:200.
Drawing no. P/TG09106 Rev B:	Proposed Plans and Elevations – scale 1:50.
Drawing no. SP/P/01/2016:	Proposed Roof Plan – scale 1:50.
Drawing no. SP/P/02/2016:	Proposed Front Elevation – scale 1:50.
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Main Issues

2. The main issues in this case are:

- a) Whether the proposal would be inappropriate development within the Green Belt for the purposes of national policy and the policies of the Development Plan.
- b) The effect of the development upon the openness of the Green Belt and the purposes of including land in it.
- c) The impact of the development upon the character and appearance of the surrounding area.

Reasons

a) *Whether inappropriate development.*

3. The subject property comprises an end of terrace cottage that has been the subject of a modest two storey side extension, planning permission for which was granted in 1981 (ref: 81/1193). It forms part of a linear development on either side of Tilt Road and is located in The Tilt, Cobham Conservation Area. The appeal site is also within the Metropolitan Green Belt but closely abuts the defined urban area of Cobham.
4. The proposal before me would involve the demolition of a small, single storey addition to the rear and the erection of a full width single storey rear extension together with a small, two storey front extension to the side of the cottage. It is similar to a scheme for which planning permission was granted in 2010 (ref: 2010/0143).
5. National policy in the National Planning Policy Framework ('the Framework') contains a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances (paragraph 87). However, paragraph 89 sets out a number of exceptions, including the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. An 'original building' is defined within the glossary to the Framework as a building as it existed on 1 July 1948.
6. In line with national policy, Policy DM18 of the adopted Local Plan¹ also allows for the extension or alteration of buildings within the Green Belt. Criterion (a) requires that extensions should be well designed and limited to no more than 25 per cent in volume and footprint of the original building, while Criterion (c) suggests that the volume and footprint of existing buildings to be demolished within the site may be excluded from the calculation of the footprint and volume of any new extension.
7. I have been provided with Ordnance Survey extracts dating from 1947, which clearly show large structures to the side and rear of the cottage. Although those structures have been removed, for the purposes of determining the floor area as it existed on 1 July 1948 it is reasonable to presume that they can

¹ The Elmbridge Local Plan: Development Management Plan (April 2015).

properly be included as part of the original building in calculating the increase in floor area or volume arising from the development.

8. The detailed figures provided on behalf of the appellant demonstrate that the modest floor area created by the two extensions would represent only a 12.5 per cent increase in floor area. Calculations as to volumetric increase provide a similar figure.
9. These calculations differ from those arrived at by the Council's Case Officer. It would appear, however, that his figures (a 30 per cent increase in volume and a 51 per cent increase in footprint) do not fully take account of the structures that are shown on the 1947 Ordnance Survey extracts.
10. The information before me, which is supported by an enlargement of the 1947 Ordnance Survey plan together with an overlay of the current proposals, has enabled me to conclude upon the first main issue that the scheme would not represent inappropriate development within the Green Belt for the purposes of national policy and the policies of the Development Plan.

b) Effect upon openness of Green Belt.

11. The single storey extension to the rear would be totally screened in views from the public domain by the bulk of the host dwelling and by single storey additions to both of the neighbouring properties, which project beyond the extension the subject of this appeal.
12. The small two storey extension to the flank of the cottage will be set back from the front building line and be viewed against the backdrop of the existing side extension. This element of the proposal will also closely abut the flank gable end of 75 Tilt Road, which incorporates dominant chimney stacks and a ridge height above that of the proposed extension.
13. Having regard to the siting, design and size of the extensions I find in relation to the second main issue that development as proposed will have no material effect upon the openness of the Green Belt or the purposes of including land in it, as required by national policy at paragraph 80 of the Framework and Policy DM18 of the Local Plan.

c) Impact upon character and appearance.

14. National policy at Chapter 12 (Conserving and enhancing the historic environment) of the Framework provides detailed guidance upon the protection of heritage assets, in line with the principles set out within the Planning (Listed Buildings and Conservation Areas) Act 1990. Both national policy and the statutory requirements of the 1990 Act are addressed by Policy DM12 of the Local Plan.
15. The Council's Conservation Officer commented that the current proposals are similar to those approved in 2010 (ref: 2010/0143). He concluded that the proposals would have little impact upon the appearance of the cottage or the street scene, or that of the Conservation Area. I agree with that assessment.
16. The design of the proposed extensions is sympathetic to the character of the existing building and they will blend with the character and appearance of the

Conservation Area. For all of these reasons, I find upon the third main issue that development as proposed would preserve the character and appearance of the designated heritage asset, as required by Policy DM12 of the Local Plan and national policy at Chapter 12 of the Framework.

Conditions

17. I have considered the four conditions put forward by the Council against the tests of the Framework and advice provided by the Government's Planning Practice Guidance issued on 6 March 2014. All are reasonable and necessary in the circumstances of this case, although I have amended their wording where required. My reasons for the conditions are:
18. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2 will ensure a satisfactory appearance to the completed development in the interests of the visual amenities of the area, while Condition 3 is necessary in order to safeguard the privacy of neighbouring occupiers.
19. Condition 4, which requires the development to be carried out in accordance with the approved plans, provides certainty.

Conclusion

20. For the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR