
Appeal Decision

Site visit made on 18 May 2017

by **R J Maile BSc FRICS**

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

Decision date: 01 June 2017

Appeal Ref: APP/C3620/D/17/3170671

Scammells Corner, Red Lane, Dorking, Surrey, RH5 4DU.

- 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 Joanna Grzeja against the decision of Mole Valley District Council.
 - The application ref: MO/2016/1642/PLAH, dated 14 October 2016, was refused by notice dated 23 December 2016.
 - The development proposed is pool house extension adjacent to the main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for pool house extension adjacent to the main dwelling at Scammells Corner, Red Lane, Dorking, Surrey, RH5 4DU, in accordance with the terms of the application ref: MO/2016/1642/PLAH, dated 14 October 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 dwelling.
 - 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of Scammells Corner; in particular, it shall not be let, sold or otherwise used as a separate unit of residential accommodation.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 552 LP Rev B: Location Plan – scale 1:1250.

Drawing no. 552 112: Proposed North Elevation – scale 1:100.

Drawing no. 552 900 Rev A: Proposed Site Plan – scale 1:500.

Drawing no. 552 905: Proposed Ground Floor Plan – scale 1:100.
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Drawing no. 552 906:	Proposed First Floor Plan (Guest Suite) – scale 1:100.
Drawing no. 552 907:	Proposed Roof Plan – scale 1:100.
Drawing no. 552 910:	Proposed South Elevation – scale 1:100.
Drawing no. 552 912:	Proposed West (Side) Elevation – scale 1:100.
Drawing no. 552 913:	Proposed North and South Elevations – scale 1:200.
Drawing no. 552 920:	Proposed Sections A-A, B-B and C-C – scale 1:100.
Drawing no. 552 921:	Proposed Sections D-D and E-E – scale 1:100.

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. Scammells Corner comprises a substantial detached brick and tile dwelling set within extensive grounds. Both it and the surrounding area, which is rural in character, are within the Metropolitan Green Belt. The property is adjacent to but screened from the adjacent countryside that forms part of the Surrey Hills Area of Outstanding Natural Beauty and an area that is designated as of Great Landscape Value.
4. There is an outdoor swimming pool to the south of the main house, in respect of which planning permission was granted on 22 October 2013 (ref: MO/2013/1431/PLAH) for the erection of a single storey pool house. That permission, however, has now lapsed.
5. The scheme before me proposes the erection of an enclosed area to include a small training pool, gym and changing facilities on the ground floor, together with additional guest accommodation on the first floor accessed via a separate entrance to the front (north) elevation. A small glazed link would provide access to the new building from the main dwelling, while the existing gazebo would be relocated onto an extended section of terracing.
6. Development as proposed would involve the removal of a semi-mature acer tree and the cutting back of the dense rhododendron screen to the west. A substantial section of the mature rhododendron bushes would nevertheless remain between the new structure and the boundary of the property.

7. 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.
8. An "original building" is defined within the Glossary to the Framework as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
9. "Saved" Policy RUD7 of the Local Plan¹ specifically relates to the extension of dwellings within the countryside. Amongst other matters it says that proposals for the extension of dwellings will only be permitted where they would not result in a disproportionate addition over and above the size of the original dwelling. The Council's guidelines suggest that, generally, an increase of over 50 per cent is likely to be considered disproportionate, whereas an increase of less than 30 per cent is likely not to be so.
10. The parties are agreed that previous extensions to the property represent an increase in floor area of 6.7 per cent. The proposals before me would increase this figure to a total of approximately 47 per cent which, in numerical terms, falls within the guidelines set out by the Council.
11. I therefore find upon the first main issue that the construction of a pool house extension as proposed would not represent a disproportionate addition over and above the size of the original building, which has a substantial floor area of 740m² and that it would not be inappropriate development for the purposes of national policy and the policies of the Development Plan.

b) Effect upon openness of Green Belt.

12. The proposed extension would be detached from but closely related in physical terms to the main dwelling. Importantly, it would have a lower ridge height and would be screened in views from the public domain given the existence of mature planting around the perimeter of the site, the extent of the cultivated area to the rear and the retention of a number of conifer trees and substantial buildings within the same ownership to the north.
13. Inevitably, any new building will have some impact upon openness. Nevertheless, the new structure would not offend any of the purposes of including land within the Green Belt as set out in the Framework.
14. Having regard to its siting and the screening to which I have referred above I have found upon the second main issue that development as proposed would have no material effect upon the openness of the Green Belt or the purposes of including land in it. As such, the scheme would accord with national policy at paragraph 80 of the Framework and "saved" Policies ENV22 and RUD7 of the Local Plan.

¹ The Mole Valley Local Plan (adopted 12 October 2000).

c) Impact upon character and appearance.

15. The design of the pool house is to a high standard and incorporates certain of the features of Scammells Corner, including the roof form. It would remain subservient to the main dwelling, being connected by a small glazed link, such that the proposal would accord with "saved" Policy RUD7 ii. of the Local Plan.
16. The scheme before me would be preferable to the large, flat-roofed pool house for which planning permission was granted in 2013 given its closer relationship with the main dwelling and the quality of its design. I have imposed a condition (no. 3) to prevent its future use as a separate dwelling, so addressing "saved" Policy RUD7 iii. of the Local Plan.
17. I have therefore found upon the third main issue that development as proposed would not have a harmful impact upon the character and appearance of the surrounding area and would accord with national policy at Chapter 7 (Requiring good design) of the Framework, "saved" Local Plan Policy RUD7 and Policy CS14 of the adopted Core Strategy².

Other Matters

18. Having regard to the form, siting and setting of the proposed pool house and its distance from neighbouring properties, I am satisfied that it would not have a detrimental impact upon their residential amenity.

Conditions

19. The Council has suggested a total of four conditions to be imposed should I be minded to allow the appeal, which I have considered against the tests of the Framework and advice provided by the Government's Planning Practice Guidance issued on 6 March 2014. I find all to be reasonable and necessary in the circumstances of this case.
20. My reasons for the conditions are:
21. 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 having regard to the location of the property within a rural area forming part of the Metropolitan Green Belt, where strict policies of restraint apply.
22. Condition 4, requiring the development to be carried out in accordance with the approved plans, provides certainty.

Conclusion

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

R. J. Maile

INSPECTOR

² The Mole Valley Local Development Framework: Core Strategy (adopted October 2009).