



Appeal Decision

Site visit made on 4 December 2019

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2020

Appeal Ref: APP/M3645/D/19/3235034

12 Weald Way, Caterham CR3 6EG

- 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 Mr Gunn against the decision of Tandridge District Council.
 - The application Ref TA/2019/770, dated 17 April 2019, was refused by notice dated 1 July 2019.
 - The development proposed was originally described as: 'Construction of a two storey side extension equal to approximately half the width of the original building with a pitched gable end, nominal adjustment to the front pitch of the original roof, increase in size of original dormer to the front pitch, construction of rear dormer with adjustments to existing cantilevered bathroom, replacement of all windows and doors to double/triple glazed timber composite windows and the external insulating of all existing walls to achieve modern standards of insulation. Adjustment to location of existing crossover and the replacing of the existing garage with a pergola style car port in a similar location.'
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing garage, erection of two storey side extension, alterations to existing roof, enlargement of existing front dormer, erection of rear dormer, external alterations, fenestration changes, relocation of vehicular crossover, and erection of car port, at 12 Weald Way, Caterham CR3 6EG, in accordance with the terms of the application, Ref: TA/2019/770, dated 17 April 2019, subject to the conditions in the attached schedule.

Procedural Matter

2. In allowing the appeal, I have amended the description of development so that it is more concise. I note that the Council made a similar alteration during their assessment of the proposal and I am satisfied that in making this change, the interests of the parties have not been compromised.

Main Issues

3. The main issue are:
 - i) whether the proposal would constitute inappropriate development in the Green Belt; and
 - ii) the effect of the proposal on the character and appearance of the area.

Reasons

Inappropriate development

4. The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
5. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate development in the Green Belt. However, an identified exception to this is 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.
6. The existing building is a modest cottage that is located at an elevated level when viewed from the road. The front elevation has a low eaves height with a dormer window located in the roof slope. However, to the rear, the building has a more conventional eaves height at first floor level. Aesthetically, the building appears somewhat neglected due to the passing of time, however, due to its oversailing eaves at the front, external timber framing, interesting roof form, and elevated level, it has a pleasing presence within the street scene.
7. The proposal would introduce a number of alterations to the building, including a large two storey side extension. However, the width of the side extension would be comparable to half of the width of the existing cottage and in this respect, it would be proportionate to the mass and bulk of the existing building. Furthermore, although this element of the scheme would be stylistically different to the form and appearance of the existing cottage, and would step forward of the existing front elevation, in my view, this enables the extension to clearly be differentiated from the cottage. In doing this, I am satisfied that the form, appearance and bulk of the addition are complementary and proportionate to the existing building.
8. The dormer window to the front of the building would be made larger. However, it would continue to be framed within the large roof slope and accordingly, it would remain subservient to the host building. To the rear, although the extension would be wide and would breach the existing eaves height, the form of the original cottage would still be readily appreciable. Furthermore, it would not be a deep projection and consequently, its effect on the form and appearance of the existing building would be limited.
9. The proposed car port would be located at a lower level, adjacent to the road. However, it would have a flat roof and due to its slatted construction, I am satisfied that its form and appearance would be incidental to the scale and form of the extended dwelling.
10. Consequently, although the proposal would result in a generous increase in volume of the existing building, for the reasons identified above, I am satisfied that it would not result in a disproportionate addition over and above the size of the original dwelling. Therefore, I conclude that the proposal would not constitute inappropriate development within the Green Belt and accordingly, it would comply with the Green Belt protection aims of the Framework. In

addition, the proposal would also comply with Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014) which seek to protect the Green Belt from inappropriate development.

Character and appearance

11. The character and appearance of the area is dominated by its topography as well as the presence of mature trees and landscaping. In addition, existing houses are generally set in space. The combination of these features provides the area with a pleasing semi-rural character. The appeal site is located at an elevated level, has space about it, and contains many trees. As a consequence, the appeal site is entirely consistent with, and makes a positive contribution to, the prevailing character and appearance of the area.
12. I have already found that the proposal would be proportionate and complementary to the form and scale of the existing dwelling. However, the proposal would also retain many of the trees on the site and despite being larger, the building would continue to have space about it. Consequently, I conclude that the proposal would have an acceptable effect on the character and appearance of the area. Accordingly, it would comply with Policy CSP18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies (2014) which, together, require high quality design

Conditions and Conclusion

13. Due to my findings above, conditions are necessary in the interests of clarity and precision to establish the time limit for the commencement of development as well as to list the approved drawing numbers. A condition is also necessary to agree the proposed external materials prior to their installation due to the stylistically different architectural approach.
14. The site also has a number of trees which contribute to the overall semi-rural character and appearance of the area. Accordingly, a condition is necessary to ensure their protection and retention during construction. This protection should be agreed in advance of work commencing and the appellant has agreed to such an approach.
15. Due to the sloping nature of the site and the associated constraints, conditions are necessary in the interests of highway safety to ensure the suitable installation of the proposed access before work starts and the closing of the existing access. The appellant accepts the requirement of this being agreed prior to the commencement of development.
16. Finally, due to the location of the site within the Green Belt and the scale of the proposed alterations, I am satisfied that there is clear justification to remove permitted development rights for further enlargements to the dwelling.
17. Subject to these conditions, the appeal should be allowed.

Martin Chandler

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.
- 2) This decision refers to drawings numbered 18006/P/001, 18006/P/B111, 18006/P/B130, 18006/P/B131, 18006/P/B132, 18006/P/B133, 18006/P/B134, 18006/P/B140, 18006/P/B210, 18006/P/B211 and 18006/P/B220. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.
- 3) Prior to their installation, details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with these approved details.
- 4) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) and an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority.
- 5) No part of the development shall be commenced unless and until the proposed vehicular access to Weald Way has been constructed and provided with visibility zones in accordance with the approved plans (Dwg 18006/P/111) and therefore the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high.
- 6) The development hereby approved shall not be first occupied unless and until existing access from the site to Weald Way has been permanently closed and any kerbs, verge, footway, fully reinstated.
- 7) The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Therefore, the parking/turning area shall be retained maintained for their designed purpose.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no further enlargement of the dwelling shall be carried without the express permission of the District Planning Authority.