
Appeal Decision

Site visit made on 10 November 2020

by Michael J Muston BA(Hons) MPhil MRTPI

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

Decision date: 20 November 2020.

Appeal Ref: APP/M3645/D/20/3248434

Rockshaw Lodge, Warwick Wold Road, Merstham RH1 3DG

- 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 Chelsea Mullane against the decision of Tandridge District Council.
 - The application Ref TA/2019/2037, dated 18 November 2019, was refused by notice dated 17 January 2020.
 - The development proposed is the erection of a 3.5 metre two storey rear extension with internal alterations.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this case are:-
 - whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect of the proposed development on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the area; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriateness

3. The appeal site lies within the Green Belt, where government policy in the National Planning Policy Framework (the Framework) says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (LP) repeats this message.
4. Paragraph 145 of the Framework indicates that the extension or alteration of a building need not be inappropriate, provided that it does not result in

disproportionate additions over and above the size of the original building. Policy DP13 of the LP repeats this and clarifies what is meant in Tandridge by "*original*" for residential dwellings, being as it existed at 31 December 1968, or if constructed after the relevant date, as it was built originally.

5. The appellant disputes the calculations undertaken by the Council's case officer, as to how much of an increase (over and above the size of the original dwelling) the proposed extension would result in. She requests that I undertake my own calculations.
6. Based on the figures provided by the appellant in her Grounds of Appeal Statement, the volume of the 'original' house (as it existed at the end of 1968) was 446 cubic metres. The appellant has measured the proposed extension as being 180.5 cubic metres. To this figure needs to be added the volume of an existing first floor extension, built after 1968, which the appellant measures at 105.37 cubic metres. The volume of a conservatory and utility room, which have been added since 1968, but would be demolished in the appeal scheme, would appear on both sides of the calculation, so can be discounted. The total that the building would increase by as a result of the appeal proposal would therefore be $180.5 + 105.37$ cubic metres, being 285.87 cubic metres. This would represent an increase of 64.1% over the volume of the 'original' building (measured by the appellant as 446 cubic metres).
7. The appeal proposal would increase the bulk of the dwelling significantly, including at first floor level, on an elevation that has previously only seen small single storey extensions. Combined with the fact that the resulting increase in volume from the original building would be well over 50%, means that implementing the appeal scheme would result in disproportionate additions, over and above the size of the original building. I conclude that the proposal would constitute inappropriate development in the Green Belt, contrary to Policies DP10 and DP13 of the LP and to government advice in the Framework.

Openness of the Green Belt

8. The proposed extension would extend the building into an area that is currently open above ground floor level. This additional built form would be clearly visible from the roads to the side of the property. The proposed extension would in my view have a small adverse effect on the openness of the Green Belt. Paragraph 143 of the Framework says that inappropriate development is, by definition, harmful to the Green Belt, but I consider that the development would also result in limited damage to openness, the most important attribute of the Green Belt.

Character and appearance

9. The proposal would introduce a new bulky addition to the rear elevation of Rockshaw Lodge. The garden behind the proposed extension is raised and a high brick wall runs along the edge of the rear garden where it fronts Warwick Wold Road. The existing conservatory and utility room extensions are as a result barely noticeable when the house is viewed from public viewpoints. At present, when approaching the site down Rockshaw Road, the property still retains much of its original character. However, the appeal proposal would introduce an extension which, particularly at first floor level and above, would appear unduly prominent in the street scene and would detract significantly from the character and appearance of the existing dwelling. This would partly

be because of its depth and location on the building, but also because of its roof design, with a low overall height and inclusion of a large area of flat roof. This latter element of the design would also be noticeable when approaching the site from the north-east along Warwick Wold Road.

10. Overall, I consider that the appeal scheme would appear significantly out of keeping with the host dwelling and harm its contribution to its setting. I conclude that the proposed development would have an unacceptable effect on the character and appearance of the area, contrary to Policy CSP18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the LP. These policies seek a high standard of design that reflects and respects existing character, setting and local context.

Other considerations and conclusion

11. In her Grounds of Appeal Statement, the appellant has explained that being able to build the extension applied for would enable the creation of a much-needed additional bedroom and family room, allowing her to use the property as a family house. I have sympathy for her desire to make her home more suitable for modern day family living. However, this was always going to be difficult in the Green Belt, where extensions that result in disproportionate additions to houses are considered to be inappropriate development, and where national and local policy says that inappropriate development should not be approved except in very special circumstances.
12. I do not consider that the points put forward by the appellant amount to benefits of the proposal to clearly outweigh the harm to the Green Belt by reason of inappropriateness and harm to openness, and the harm to the character and appearance of the area that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. I have accordingly concluded that the appeal should be dismissed.

Michael J Muston

INSPECTOR