



Appeal Decision

Site visit made on 13 July 2021

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2021.

Appeal Ref: APP/M3645/D/21/3269391

Woodlands, Byers Lane, South Godstone, RH9 8JH

- 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 and Mrs Wingrove against the decision of Tandridge District Council.
 - The application Ref TA/2020/1629, dated 14 September 2020, was refused by notice dated 2 December 2020.
 - The development proposed is demolition of existing conservatories and replacement with single storey extension. Infill between garage and dwelling. Conversion of garage to form part of dwelling. Partial loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing conservatories and replacement with single storey extension. Infill between garage and dwelling. Conversion of garage to form part of dwelling. Partial loft conversion at Woodlands, Byers Lane, South Godstone, RH9 8JH in accordance with the terms of the application, Ref TA/2020/1629, dated 14 September 2020 and subject to the conditions listed below.
 - 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) The development hereby permitted shall be carried out in accordance with the following approved plans: PL_001/Rev.02, PL_010/Rev.00, PL_020/Rev.00, PL_021/Rev.00; PL_011/Rev.00, PL_100/Rev.12, PL_101/Rev.12, PL_201/Rev.12 and PL_200/Rev.12.
 - 4) The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the submitted Preliminary Ecological Appraisal Report dated May 2020 and the Bat Characterisation Survey Report dated August 2020 both by Green Shoots Ecology, and which also supports an EPS licence from Natural England.

Procedural Matter

2. On 20 July 2020 the Government published a revised version of the National Planning Policy Framework (July 2021) (Framework). However, the Green Belt

policies that are specifically relevant to this appeal have not changed and there was no need, therefore, to invite the parties to make further submissions in response to the revised Framework. The paragraph numbering, in the revised Framework, for the Green Belt and design policies has changed and I have highlighted those changes in my decision.

Main Issues

3. The main issues are:

- (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and development plan policy; and
- (b) The effect of the proposed development on the character and appearance of the existing dwelling and surrounding area.

Reasons

Inappropriate development in Green Belt

- 4. The appeal site comprises a single storey pitched roof dwelling with gardens to the front, side and rear. There is also a detached single storey garage with a similar pitched roof. Both were built pursuant to planning permissions granted in 1987. Access to the appeal site is from a long track linking to Byers Lane. There are no other existing houses immediately abutting the appeal site and its context largely comprises open fields with mature tree screening and a number of large agricultural buildings.
- 5. Paragraph 149 of the revised Framework (previously paragraph 145) states that the construction of new buildings in the Green Belt is inappropriate development unless it falls within one of the exceptions listed a) to g) (inclusive). Exception c) confirms that an extension or alteration of an existing building is not inappropriate development provided "*it does not result in disproportionate additions over and above the size of the original building*".
- 6. Policy DP13 of the Tandridge Local Plan Part 2: Detailed Policies (July 2014) (TLP) states that the extension or alteration of buildings within the Green Belt will only be allowed where the proposal does not result in a disproportionate addition over and above the size of the original building. The supporting text at paragraphs 13.3 – 13.4 further states that the Council will adopt a pragmatic approach and judge each proposal on its individual merits. Also, that regard will be had to the size of the original dwelling in terms of its bulk, height and mass, the prominence of the extension(s) and impact on the openness of the Green Belt. As a general rule, the Council will use the external volume as a measure of whether the proposal is mathematically disproportionate. Whilst Policy DP13 predates the revised Framework, I am satisfied that, insofar as it relates to extensions, it is consistent with the Framework.
- 7. Paragraph 13.2 of the TLP indicates that the original building is to be taken as the building that existed at 31 December 1968 (when the policy was first introduced) or if constructed after, as it was built originally. The latter is consistent with the definition of 'original building' in Annex 2 to the revised Framework.
- 8. Based on this and the evidence before me, it is clear that planning permission for the existing dwelling and garage were granted in 1987 and both built shortly afterwards. However, it is unclear whether the buildings were

constructed at the same time. There is also disagreement between the parties as to the increase in volume that would result from the appeal proposal depending on whether the garage is included or excluded, and similarly the existing loft space. In light of the above and as I have not been provided with the detailed workings to these volume calculations, I have been unable to reach a firm finding on this specific issue.

9. In relation to the Council's use of external volume, as a measure of a proposal being mathematically disproportionate, paragraph 13.4 of the TLP does not expand on this further and, for example, neither does it indicate what percentage increase in volume might be regarded as being disproportionate.
10. The analysis required by paragraph 149 c) of the revised Framework (previously paragraph 145 c)) is whether the proposed extensions are disproportionate in relation to the "size" of the original building. The proposed increase in volume, external measurements and floorspace, are, therefore, relevant to that assessment, as are the appeal sites' context and the prominence of the proposed extension(s).
11. The footprint of the existing dwelling would be extended to infill the gap between the property and the garage. The proposed side extension would replace the two existing conservatories and marginally extend their footprint to the west. In terms of volume, both extensions would include pitched roofs to match existing and new dormers would be introduced to allow accommodation within the roofspace. The eaves and ridge heights of the proposed extensions would not exceed those of the existing dwelling.
12. Based on the above, the proposed extensions would, in my judgement, be complementary and proportionate to the existing dwelling. That finding would remain the case whether the original building is defined as the existing dwelling or the existing dwelling and garage.
13. The gap to be infilled, between the dwelling and garage, is small. The proposed side extension would not result in a significant lengthening of the existing dwelling when regard is had to the removal of the existing conservatories. Whilst I accept that the bulk, mass and volume of the existing dwelling would increase, this increase would not, in my view, be significant or disproportionate, and as a result the proposed extensions would not be visually prominent. The use of materials to match existing would also enable the new extensions to assimilate well with the existing dwelling and garage.
14. In reaching the above findings, as paragraph 13.3 of the TLP states, I have adopted a pragmatic approach and judged the proposal on its individual merits.
15. Accordingly, the appeal proposal would not represent inappropriate development in that the proposed extensions would not result in disproportionate additions over and above the size of the original building. The appeal proposal would, therefore, be in accord with the exception set out in paragraph 149 c) of the revised Framework (previously paragraph 145 c)).
16. In relation to the Council's concerns over the impact on or the loss of openness within the Green Belt, the proposed development would not be inappropriate and would not, therefore, be harmful to the openness of the Green Belt or to the purposes for including the land within it. The impact on openness is implicitly taken into account in the exceptions set out in paragraph 149 of the

revised Framework (previously paragraph 145). In this particular case, the exception under part c) of paragraph 149 does not require consideration to be given to the actual effect of the new extensions on openness in determining its inappropriateness. In view of this, the appeal proposal would also accord with Policy DP10 and DP13 of the TLP.

Character and appearance

17. The appearance of the existing dwelling and garage are not of any particular architectural value. The separation of the dwelling from the garage also gives a disjointed and uncoordinated feel to the whole development, accentuated by the poor quality of the conservatory additions. Within that context, the replacement of the conservatories by the new side extension and infilling of the gap between the dwelling and garage, would, in my judgement, provide a more harmonious and consistent feel to the design of the dwelling.
18. All the principal elevations to the existing dwelling would be improved, both visually and in design terms, particularly through the introduction of new glazing, bifold doors and roof dormers. This detailing, combined with the existing gable ends, differing roof profiles and ridge heights, would provide more interest to the dwelling and secure a higher quality design compared to existing.
19. Whilst I accept that the appeal proposal would increase the frontage (width) of the existing dwelling, this would not, for the reasons given above, lead to any material harm. This elevation sits behind a raised front garden with ornamental trees and landscaping partly screening views of the property. Similarly, I do not agree with the Council's contention that the proposed extensions fail to reflect the original character of the property. The proposed extensions would be modest and would assimilate well with the design of the existing dwelling and garage, and through the use of materials to match existing and added detailing, they would result in an improvement to its overall appearance. As a consequence, the proposed extensions would not be out of keeping and neither would the existing dwelling (as extended) appear overly dominant.
20. With regard to the character and appearance of the area the Council's Delegated Report appears to acknowledge that the proposed extensions would have a limited impact on the streetscene given that the appeal site is set back some distance from the main road and there are no adjacent houses. Similarly, they conclude that the proposal would have an acceptable impact on the wider landscape.
21. Even so, the Council do contend that the appeal proposal would be harmful to the character and appearance of the area, but offer no substantive evidence to support that statement. As I found above, public views of the appeal site are limited, there are various large agricultural buildings immediately to the south and east of the site, the host property is physically and visually separated from other nearby houses and there is extensive mature tree screening particularly to the fields to the north and west. Within that context, the appeal proposal would not give rise to any material harm to the character and appearance of the area or to the surrounding landscape.
22. Accordingly, I find that the proposed extensions would not result in any harm to the character and appearance of the existing dwelling or the surrounding

area, and would accord in this respect with Policy CSP 18 of the Tandridge District Core Strategy (October 2008) and Policy DP7 of the TLP, as well as paragraphs 124, 126 and 134 of the revised Framework (previously paragraphs 122, 124 and 130). Combined, these seek to ensure, amongst other requirements, that the design of new development is of a high quality, that it reflects the character, setting and local context, and is in keeping and integrates well with its surroundings.

Conditions

23. The Council has suggested a number of conditions and I have considered these against the advice in the revised Framework and the Planning Practice Guidance on the use of planning conditions. Conditions relating to the time limit for implementing the development, requiring compliance with the submitted plans and for materials to match existing, are necessary and reasonable in order to secure a high quality development and to reflect the details included within the application. I have, however, added a list of approved plans. I also consider that a condition requiring compliance with the recommendations and mitigation measures set out in the applicant's submitted reports is reasonable and necessary to protect the ecological interests of the site and to safeguard any protected species.

Conclusion

24. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR