



Appeal Decision

Site visit made on 27 August 2021

by Julie Dale Clark BA(Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/K3605/D/21/3267111

10 Middleton Road, Downside, Cobham, Surrey KT11 3NR

- 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 Ms Gemma Worth against the decision of Elmbridge Borough Council.
 - The application Ref 2020/2145, dated 21 August 2020, was refused by notice dated 10 November 2020.
 - The development proposed is part-1, part-2 storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are: -
 - whether the proposal constitutes inappropriate development in the Green Belt and its effect on openness;
 - the effect of the proposed extension on the character and appearance of the area; and
 - 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

Green Belt / Openness / Character and Appearance

3. The appeal site is a semi-detached house at the end of a row of houses within a residential area and with an area of open space to the east. The area is in the Green Belt. The National Planning Policy Framework¹ explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Exceptions include the extension or alteration to a building provided that it does not result in disproportionate additions over and above the size of the original building. Whilst the Framework does not define what is or is not disproportionate the

¹ Ministry of Housing, Communities and Local Government National Planning Policy Framework, 2021 (the Framework).

Council has introduced in Policy DM18 of its Local Plan², a figure of 25% in the case of both footprint and volume increases.

4. The Framework refers to disproportionate additions in relation to the original building and in this case, the appellant and the Council disagree as to what the original building was. In particular, the appellant states that the house originally had a rear projection, remnants of which remain and a rear extension all of which would be removed. There is also a detached garage which the appellant surmises was built with the house. I am doubtful as to how much of the original house is or would be demolished and whilst it is entirely possible that a rear projection of some sort originally formed part of the house, this is inconclusive. I also doubt that the garage was originally built with the house. The house and garage are rendered, although a section of a wall to the rear of the house is in brick, and so it is difficult to accurately determine what was original and what has been removed, added or altered over time.
5. The difference between the original and that proposed is calculated as just over 80% in footprint and over 65% in volume by the Council's calculations, whilst the appellant states that the increases in floorspace is approximately 18% but states that it is not possible to calculate the volume increase due to parts of what was original having been demolished. It seems to me that the actual difference is likely to be less than the Council's calculation, given that previous demolished parts of the house have not been included in its calculation, but I think it is unlikely that the figure is as low as the appellant's calculations. For example, I doubt the garage was original and it is difficult to determine the floor area of what may have been original.
6. Notwithstanding the discrepancy, I consider that whether or not the extension would appear as a disproportionate addition over and above the original building can more accurately be determined by the appearance and impact of the extension. This leads me onto the Council's second reason for refusal in that the proposal would be detrimental to the character and appearance of the original dwelling and the street scene.
7. Core Strategy³ CS10 relates specifically to the Cobham, Oxshott, Stoke D'Abernon and Downside areas and indicates that in all instances, new development should be well designed and integrate with and enhance local character. Policy CS17 further encourages high quality design and local character as does Local Plan DM2 and the Council's design SPD⁴.
8. The proposed extension would carry through the ridge of the existing house and extend sideways in line with the front of the house at both ground and first level. The extension would project further to the rear than the existing rear wall of the house on two floors. At ground level an extension would run across the rear width of the house. The increase in the size of the house would be significant and its enlargement would appear disproportionate, especially given that the appeal site is one of a pair of semi-detached houses.
9. I consider that the overall size and impact of the proposal would be disproportionate to the appearance of dwelling. It would be in a very prominent position and out of character with the existing dwelling and the appearance of

² Elmbridge Borough Council Elmbridge Local Plan Development Management Plan, April 2015.

³ Elmbridge Borough Council Elmbridge Core Strategy, July 2011.

⁴ Elmbridge Borough Council Elmbridge Local Plan design and Character Supplementary Planning Document, April 2012 (SPD).

the pair of semi-detached houses. The scale and prominence of the extension would impact on the openness of the Green Belt, given the position of this house in relation to the adjacent open space. I therefore find that the proposal would constitute inappropriate development in the Green Belt which carries substantial weight against this proposal. It would also be harmful to the openness of the Green Belt which adds weight against the proposal. I also find that in assessing whether or not the proposal would be a disproportionate addition to the original house, its character and appearance would be harmed which would also have an adverse effect on the area generally. This adds further weight against the proposal.

Other Considerations

10. The appellant's case rests on the proposal not being inappropriate and therefore no very special circumstances have been put forward. The appellant also considers that the proposal would not harm the character and appearance of the area and examples of other extensions have been referred to. I have taken all matters raised into consideration in reaching my conclusion.

Conclusion

11. The Framework makes it clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I have found that the proposal would be harmful by reason of inappropriateness and the openness of the Green Belt and would also be harmful to the character and appearance of the area.
12. I conclude that the proposal would be inappropriate development in the Green Belt and very special circumstances do not exist to clearly outweigh the harm caused by inappropriateness and the other harm that I have identified.
13. The proposal would conflict with the Framework and Local Plan Policy DM18. It would also conflict with Core Strategy policies CS10 and CS17 and Local Plan Policy DM2 as well as the Council's SPD. The appeal therefore fails.

J D Clark

INSPECTOR