



Appeal Decision

Site Visit made on 1 September 2021 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by Martin Seaton BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2021

Appeal Ref: APP/C3620/D/21/3275209

Barn Cottage, Church Road, Leigh, Reigate RH2 8RF

- 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 Jill Exley against the decision of Mole Valley District Council.
 - The application Ref MO/2020/1814, dated 8 October 2020, was refused by notice dated 7 April 2021.
 - The development proposed is single storey rear extension with flat roof.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. Planning permission has been granted at the appeal property for construction of a single storey rear extension with flat roof (reference: MO/2018/1014). The proposal before me is of a similar design to the extant permission, but is larger in both length and width. At the time of my site visit, no part of the extant permission appeared to have been implemented.

Main Issue

5. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the host property and the Leigh Conservation Area (CA); and

- The effect of the development on the living conditions of the occupiers of Newark Cottage with regards to outlook.

Reasons for the Recommendation

Character and Appearance

6. The CA has a spacious and informal feel, with many residential properties set in large gardens. The appeal dwelling is a two-storey detached property, converted from a 17th Century barn. The dwelling is set back from Church Road with gardens surrounding the property on three sides. The open feel of the property coupled with the historic nature of the dwelling contributes to the character and appearance of the CA.
7. A substantial orangery style extension is proposed at the property. The scale of the proposed extension, in particular the length, would result in an extension that would appear disproportionate and dominate the host dwelling. Whilst I note brickwork and some architectural detailing is proposed to match the existing dwelling, the formal design would create a more modern appearance. Whilst I appreciate that extensions do not always need to exactly match the style of the main house, they should complement the existing character and appearance, which, on this scale, the extension does not. The proposed extension would result in an unsympathetic addition that would appear out of keeping with the host property.
8. Whilst it is noted planning permission exists for a smaller extension with a similar design, the scale of the proposal before me is significantly larger. Whilst the proposed extension would be located at the rear of the property and would not be readily visible from the public realm, the proposed extension would reduce the spatial openness of the property and detract from the character of the host property and the CA as a whole. The proposed development therefore fails to preserve or enhance the CA.
9. The proposed development is therefore contrary to Policy CS14 of the Mole Vale Core Strategy (adopted October 2009) which seeks, amongst other things, to ensure development respects and enhances the character of an area and protects and where appropriate enhances areas of historic importance. It is also contrary to saved Policies ENV22 and ENV32 of the Mole Valley Local Plan (Adopted 12th October 2000) (the 'Local Plan') which seek, amongst other things, to ensure development is appropriate to the site in terms of scale and appearance and respects character and appearance. Policy ENV32 specifically states that extensions should retain the character and style of the existing property. The proposal is also contrary to Policy ENV39 of the Local Plan which states development should enhance the character and appearance of Conservation Areas.
10. The harm to the CA would be less than substantial and in such instances paragraph 202 of the National Planning Policy Framework states that such harm should be weighed against the public benefits of the proposal. However, although there would be a private benefit to the appellant from the proposed development, there are no public benefits to weigh against the less than substantial harm to the CA.

Living Conditions

11. Newark Cottage is located to the east of the appeal property, it sits further forward in its plot compared to the appeal dwelling meaning the proposed extension would be built adjacent to the garden of this property. The appeal property and Newark Cottage have relatively substantial gardens and there is currently a fence and landscaping between the two properties which screens views. It is noted that some of the vegetation would need to be cut back to facilitate construction of the proposed development. Whilst the proposed extension is large in length and depth, it is set back from the boundary and the proposal is single storey with a flat roof design that would not be overly prominent in height. Even if some of the screening currently provided by landscaping is lost, it would not feel overbearing, or have an unacceptable effect on the outlook for the occupiers of Newark Cottage.
12. On this basis, the proposed development would accord with Policy ENV22 and ENV32 of the Local Plan which seek, amongst other things to ensure development does not harm the amenities of the occupiers of neighbouring properties.

Other Matters

13. It is noted that the appeal property is located in an area designated as Green Belt. However, the Council state that given the nature of the proposal they have not considered it under Green Belt policy. The appellant has acknowledged the approach taken by the Council and raised no issues with it. On the basis that both parties are in agreement on this matter, I have given it no further consideration in this appeal decision.

Conclusion and Recommendation

14. The absence of harm to the living conditions of the occupiers of Newark Cottage, is outweighed by the harm that has been found in relation to the effect of the proposal on the character and appearance of the host dwelling and the CA. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR