



Appeal Decision

Site visit made on 21 September 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2022

Appeal Ref: APP/M3645/D/22/3292354

32 Stoneleigh Road, Limpsfield RH8 0TR

- 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 D and L Prince against the decision of Tandridge District Council.
 - The application Ref TA/2021/1692, dated 20 September 2021, was refused by notice dated 8 December 2021.
 - The development proposed is described as a part double storey rear extension and loft dormer extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development from the application form and note it differs to that on the appeal form and decision notice. This is what was originally applied for and satisfactorily describes the proposal in front of me.

Main Issues

3. The main issues are:
 - a) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - b) the effect of the proposal on character and appearance of the existing property and surrounding area.

Reasons

Whether the proposal is inappropriate development in a Green Belt

4. Paragraph 149 of the Framework states that the construction of a new building is inappropriate in the Green Belt but sets out 7 exceptions to this. On review of the evidence before me I am satisfied that the proposal should be considered under paragraph 149 c), the extension or alteration of a building. This exception requires that the extension or alteration does not result in disproportionate additions over and above the size of the original building.
5. The Council has based its decision in relation to what is considered a disproportionate addition, by first using a mathematical calculation. The Framework does not prescribe what constitutes a disproportionate addition. In

this regard, I consider the use of the mathematical calculation with an acceptability threshold of an up to 40% increase in the original building floor area to be unsupported by evidence or policy.

6. My attention has been drawn to appeal references APP/M3645/C/21/3270996 and reference APP/M3645/D/19/3225214 which, amongst other things, also deal with the Council's use of the 40% threshold for assessing whether a proposed extension was disproportionate. In these decisions, it was found that there was a lack of justification for the use of this percentage figure, and that a physical and visual assessment was more appropriate to assess whether an addition is disproportionate. As there is no evidence before me to support the use of this figure and I concur with the findings made by my colleagues that it is unjustified.
7. The proposal can broadly be considered as 2 elements, alterations to the roof including a rear facing dormer and gable extension, and a rear facing first floor extension. Although it is noted that on the submitted plans the 2 elements could not be constructed independently of each other.
8. Both elements of the proposal are within the constraints of the appeal site and would not be so significant as to engulf the original dwelling or its surroundings. They are proportionally scaled extensions to a residential property and would be positioned within the existing footprint without exceeding the height or width of the building. Observations of comparable extensions within the immediate area confirm the overall proposed size would be proportional in relation to the property before me. I am, therefore, satisfied the proposed mass of the additions, inclusive of the existing extensions, would not be constitute disproportionate additions over and above the size of the original dwelling.
9. In light of the above, I conclude that the proposal would not constitute inappropriate development in the Green Belt. It would comply with paragraph 149(c) of The Framework and policies DP10 and DP13 of the Tandridge District Local Plan Part 2: Detailed Policies (LPDP), insofar as they seek to protect the special characteristics of the Green Belt in relation to extensions and alterations.
10. As the proposal would not be inappropriate development, it is not necessary to further consider the effect of the proposal on openness or the purposes of including land in the Green Belt.

Character and appearance

11. The appeal property is situated within the centre of a relatively dense, residential area. The area is well established with a somewhat suburban character, and properties are predominantly 2-storey and road facing. The majority have good sized, verdant rear gardens with an abundance of mature trees. In general, the properties appear similar in age and of a functional, traditional vernacular, although there are differences in layout and design features. the reasonable symmetry between the properties in each semi-detached pair and the spacing between them creates a pleasant cadence to the character of the road.
12. Although I have found above the size of the proposal would not be disproportionate to the original dwelling. The design of those additions would

have a direct impact on the character and appearance of the area. The proposed alterations to the roof would modify the roof shape of the original dwelling considerably both to the rear and side. Although the rear elevation is largely screened; the proposal would reduce the physical space between the appeal property and adjacent property. When viewed from the front it would create a disparity within the shared front elevation, thus creating unbalance across the semi-detached pair, and harming its appearance within the street scene.

13. The fact that the appeal site is only visible in the immediate area, and it is not part of wider ranging views does not mitigate the harm found to the locality. Of the examples of other decisions cited within Stoneleigh Road, the majority were decided under a previous development plan and / or did not include gable extensions to roofs. I therefore do not find the examples proposed comparable to the scheme before me.
14. The appellant has drawn my attention to the completed gable extension and rear dormer at 28 Stoneleigh Road, which has been confirmed by the Lawful Development Certificate submitted by the appellant. As the extension at No 28 was achieved under permitted development, its impact on the character and appearance of the area was not assessed. Nevertheless, I do not find it harmonious with the cadence of the street scene. As such, the potential for a similar permitted development extension at the appeal site as a fallback position would not be more harmful than the proposal before me and so does not alter my finding of harm.
15. The proposed first floor extension would be modest in size, subservient to the height of the appeal property and situated above the existing ground floor extension. It would be positioned entirely to the rear of the property, which is well screened by the mature gardens and adjacent properties. It would not alter the overall footprint of the building and would be similar to multiple established examples within the immediate area, both those highlighted by the appellant and those I observed during my site visit. For these reasons I find this element would not be harmful to the character and appearance of the existing property and surrounding area.
16. Considering the appeal proposal in the round, I conclude it would harm the character and appearance of the existing property and the surrounding area. This would be contrary to Policy CSP18 of the Tandridge District Core Strategy, LPDP Policy DP7, and Policy LNP3 of the Limpsfield Neighbourhood Plan 2019 (NP) insofar as they seek to promote good design and respect of local character.
17. Policy LNP5 of the NP has been included by the Council. As this relates to landscape character and the Surrey Hills Area of Outstanding Natural Beauty, of which the appeal site is not part of, I have not considered this in my decision.

Other Matters

18. The appellant has drawn my attention to the lack of space in the current dwelling. However, I am bound to consider the planning merits of the case before me, and this unfortunately would constitute a personal matter. As such, this has not altered my decision.

Conclusion

19. For the reason above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR