



Appeal Decision

Site visit made on 2 March 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2023

Appeal Ref: APP/C3620/D/22/3313621

The Wilderness, Walliswood Green Road, Wallis Wood, Dorking, RH5 5RD

- 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 Howard Witt against the decision of Mole Valley District Council.
 - The application Ref MO/2022/1475/PLAH, dated 19 August 2022, was refused by notice dated 19 October 2022.
 - The development proposed is the erection of a glazed rear pergola.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a glazed rear pergola at The Wilderness, Walliswood Green Road, Wallis Wood, Dorking, RH5 5RD in accordance with the terms of the application, Ref MO/2022/1475/PLAH, dated 19 August 2022, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans and whilst erected shall remain open-sided in accordance with these plans: 873320 – 0001, 2301, 2302, 2303, 5001, Existing layout and elevations, Proposed layout & elevations, and Location & Block Plan.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

3. The appeal site includes an extended detached two storey cottage style house with sizeable surrounding garden space, timber outbuildings and a gravel driveway. Other homes nearby tend to be of a similar ilk. The site is located towards the edge of the attractive village of Walliswood and is in the countryside beyond the Green Belt and in an Area of Great Landscape Value. The character of the area is established with the well separated, usually traditional, dwellings and generous gardens and the locality's appearance is extremely pleasing.
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4. The proposal is as described above and would infill a space at the rear of the house covering an existing area of patio. The structure would have a depth of 4.3 metres, a width of 6.4 metres and a height of 2.5 metres with a glass roof supported by timber beams and posts forming open sides.
5. The Council is concerned that the proposed extension would amount to a disproportionate addition over and above the size of the original dwelling and in this way detract from the scale and character of the property and the openness of the area. The Council cites Policy RUD7 of the Mole Valley Local Plan (LP).
6. This policy, amongst other matters, indicates that an extension in the countryside should not result in a disproportionate addition over and above the size of the original dwelling or detract from immediate or wider character and appearance attributes. The supporting text to the policy also notes that account will be taken of: the increase in floorspace and, the appearance of the proposal - whether it would be out of proportion with the original dwelling in terms of its form, bulk or prominence. It also notes that the policy is in place to maintain the range of dwelling sizes although, rightly in my opinion, this point is not raised by the Council in this case.
7. The policy provides no detail as to the percentage increase which might be considered favourably but it is made clear in supporting text that the cumulative effect of previous extensions should play a part in any assessment of suitability in terms of disproportionality.
8. This property has previously been extended appreciably, albeit in subtle form. The percentage figures used by the Council and Appellant vary. This seemingly stems from whether one extension element was floorspace replacement or was new footprint relative to the original building. Whatever the case, it is clear that the dwelling already now varies in size considerably from the original structure and that the Council has allowed this to happen via traditionally built new habitable accommodation being permitted.
9. I do not need to go into the detail of extension percentages because this cannot all be about mathematics. In any event it is not for me to select a percentage increase which should be used as a 'tipping point'; the development plan, or indeed the National Planning Policy Framework, does not define one and I must determine each proposal on its merits in the light of this.
10. Looking at the explanatory text to LP Policy RUD7 one would need to consider whether plans were out of proportion to the original building in terms of form, bulk and prominence. The form is more of a garden type structure than an extension given its light-weight, open and functional nature. I would say the scheme is not too large when having regard to the scale of the original property and bearing in mind other extension work which has gone on before. There would be no harm to the character of the property and the scheme would not be bulky or prominent as it would be a relatively discreet infill. Taking the particular facts of this case, having regard to cumulative impact, the context of this unobtrusive rear of the appeal property, and bearing in mind the suitable subservient and ancillary design of the appeal scheme generally, I would deem that the modest nature of the planned pergola would not represent a 'disproportionate addition'.
11. Given the foregoing, the design would not negate from the visual merits of the host property and its context and would have no marked negative impact upon

the aesthetic qualities of the surrounding area. In the circumstances my conclusion is that this proposal would comply with the aesthetic and social objectives of LP saved Policy RUD7; it would not result in a disproportionate addition over and above the size of the original building.

Conditions

12. The scheme should have the standard commencement condition. To provide certainty and protect character and appearance there should be a condition that works are to be carried out in accordance with listed, approved, plans. Embodied in this, bearing in mind the Council's understandable fears and the Appellant's case about open-sidedness and garden related use, the structure should be restricted to be retained as constructed.

Overall conclusion

13. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR