



Appeal Decision

Site visit made on 28 May 2024

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2024

Appeal Ref: APP/M3645/W/23/3326163

Norbryght, Tilburstow Hill Road, South Godstone, Surrey RH9 8NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Akhtar against Tandridge District Council.
 - The application Ref is TA/2023/577.
 - The development proposed was originally described as “the extension of roof to include dormer windows, demolition of ground floor north porch and erection of single storey extensions and canopies to south and east elevations”.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the ground floor north porch, extension of roof to include dormer windows, the erection of a two-storey extension, erection of single storey extensions and canopies, changes to the fenestration of the building and the alteration of the external materials of the building at Norbryght, Tilburstow Hill Road, South Godstone, Surrey RH9 8NA in accordance with the terms of the application, Ref TA/2023/577, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 155 STEP 1_01; 155 STEP 1_02; 155 STEP 1_03; 155 STEP 1_04; 155 STEP 1_05; 155 STEP 2_01; 155 STEP 2_02; 155 STEP 2_03 Rev B; 155 STEP 2_04; 155 STEP 2_05; 155 STEP 2_06 Rev B; 155 STEP 2_07; and 155 STEP 2_08.
 - 3) Prior to the construction of any external wall of the development hereby permitted, details/samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details/samples.

Preliminary Matter

2. Notwithstanding the description set out in the banner heading above, which is taken from the application form, it is clear from the plans that the proposed development also includes the erection of a two-storey extension, changes to the fenestration and alteration of the external materials. Accordingly, the Council suggests an amended description which the appellant agrees to. The decision in paragraph 1 above reflects this.

Background and Reasons

3. The appellant submitted his planning application around 11 May 2023. A period of consultation with interested parties subsequently followed. The Council failed to determine the application in the prescribed time. The appellant therefore lodged an appeal on 18 July 2023 against the Council's failure to determine his application.
4. The Council have submitted an appeal statement which confirms that, had it been in a position to do so, it would have approved the planning application subject to several planning conditions. As such, both the Council and the appellant are of the view that the appeal should be allowed.
5. In light of all that I have seen and read, I concur with the appellant and the Council that the impacts of the appeal scheme would be acceptable and that there would be no conflict with the relevant policies of the development plan for the reasons set out in their statements. I have no reason to dispute the conclusions they have reached. I have therefore allowed the appeal.

Other Matters

6. The appeal dwelling, Norbryght, is served from Tilburstow Hill Road by a long drive which is shared with other properties. The proposed development would include an increase in the amount of kitchen, living and dining space and the creation of two additional bedrooms for the existing six-bedroom house.
7. The extended dwelling could accommodate more occupants, and therefore there would be the potential for a greater number of vehicle movements along the shared drive. However, Norbryght already comprises a large house and any increase in traffic serving the extended dwelling would be likely to be minimal. Consequently, the proposal would not cause unacceptable danger, noise or a significantly increased risk of damage to neighbouring property from use of the shared drive.

Conditions

8. I have had regard to the Council's suggested conditions and considered them against the statutory tests outlined in the Framework and the advice in the Planning Practice Guidance. I have made minor amendments, where necessary, to ensure that the conditions comply with these documents.
9. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. To protect the character and appearance of the area, I have also imposed a condition requiring details of the external materials to be approved.

Conclusion

10. I conclude that the proposal would accord with the development plan and there are no material considerations that outweigh this finding. Accordingly, the appeal is allowed, and planning permission is granted.

A Wright

INSPECTOR