



Appeal Decision

Site visit made on 5 June 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2024

Appeal Ref: APP/R3650/D/23/3330689

Claremont, Stonards Brow, Shamley Green, Surrey GU5 0UY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tim Mercer against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/00005.
 - The development proposed is extensions and alterations to existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to existing dwelling at Claremont, Stonards Brow, Shamley Green, Surrey GU5 0UY in accordance with the terms of the application, Ref WA/2023/00005, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies; and the effect of the proposed development on the character and appearance of the dwelling and wider area.

Reasons

Whether Inappropriate Development

3. The National Planning Policy Framework (the Framework) advises that in the Green Belt, development should be regarded as inappropriate. However, Paragraph 154(c) states that the extension or alteration of a building is not inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building.
4. Policy RE2 of the Waverley Local Plan 1, 2018 (LPP1) and Policy DM13 of the Waverley Local Plan Part 2, 2023 (LPP2), seek to protect the Green Belt from inappropriate development. The Officer Report also refers to a 'guideline' and that increases in floor area above 40% are unlikely to be considered acceptable.
5. The Framework does not define 'disproportionate' and it is therefore a matter of planning judgement. Furthermore, 'size', which is the test in the Framework, can reasonably be taken to include such factors as volume, height, external dimensions, visual perception etc. As the Framework indicates that size can encompass more than simply a comparison of floorspace figures, its approach is to be preferred when assessing the issue further.

6. The previous extensions have added floor area but in a way which has not distorted the appearance of the dwelling such that the extensions dominate the building or overwhelm its original form or bulk. They are of a scale which appears commensurate with the original building.
7. The proposal largely upgrades and slightly reconfigures the existing extensions to the building. There is no dispute between the main parties that the proposed uplift in floor area would be very small. The Council calculates it to be 3.1m². Whilst small additions can incrementally result in disproportionate additions over and above the size of the original building, I do not find that to be the case in this instance. Within the context of the reconfiguration, the additional size would be difficult to detect.
8. Therefore, as a matter of judgement, I find the scale of the proposed alterations would not tip over into being disproportionate to the size of the original building. Therefore, these works would not be inappropriate development within the Green Belt.
9. Consequently, they would meet the exception in Framework paragraph 154(c). As the scheme would not be inappropriate development in the Green Belt, it would not conflict with the policies in the Framework or Policy RE2 of the LPP1 and Policy DM13 of the LPP2, which protect such areas. Accordingly, it is not necessary to further consider the effect of the proposal on the openness of the Green Belt or whether very special circumstances exist.

Character and Appearance

10. The officer report makes clear that, with regard to this main issue, the only aspect of the proposal in dispute is the side dormer.
11. Properties in the vicinity of the appeal site are generally detached and there is broad consistency in the palette of materials and use of hipped roofs. However, there is variety in the styling of individual houses. Within this context, many of them have roof dormers and there is variety in their design and sizes as well as where they are positioned on the buildings. The houses are set within a wider verdant landscape that is designated as an Area of Great Landscape Value (AGLV), but this part of Stonards Brow is clearly residential in character.
12. Whilst the dormer would not be set down from the main ridge, when combined with the other alterations, it would not appear overly dominant. Indeed, maintaining a consistent height avoids it appearing awkward or competing visually with the front dormer.
13. The proposed side dormer would be visible from the street but given the position of the house relative to its neighbour, it would not be particularly prominent within the streetscene. Within the context of the surrounding properties and variety of buildings, roofs and dormers it would not be noticeably out of keeping.
14. Overall, I find the proposal to be sympathetic to the existing dwelling, streetscene and wider character of the area. As such, it accords with Policies TD1 and RE3 of the LPP1; and Policies DM1 and DM4 of the LPP2 which, amongst other things, seek to protect the character and amenity of the area, including the AGLV.

15. The proposal does not fully accord with all the guidance in the Council's Residential Extensions Supplementary Planning Document (2010). However, this is guidance and I have found the proposal to accord with the development plan policies and their wider objectives. Accordingly, this does not alter my findings.

Conditions

16. In addition to the standard time limit, a condition that lists the approved plans is necessary in the interests of certainty.
17. The drawings indicate the side dormer having obscure glazing. For the avoidance of doubt and to protect the occupants of the neighbouring dwelling a condition to secure this is necessary. Compliance with the recommendations within the submitted Bat Report would ensure the proposal does not cause harm to the wider biodiversity of the site.

Conclusion

18. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Stewart Glassar

INSPECTOR

Schedule of 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 drawing Nos:

Location Plan	083/LOC P1
Block Plan	083/001 P1
Ground Floor Plan Proposed	083/016 P1
First Floor Proposed	083/017 P1
Second Floor Plan Proposed	083/018 P1
Roof Plan Proposed	083/019 P1
Section A-A Proposed	083/026 P1
Front (South) Elevation Proposed	083/036 P1
Side (East) Elevation Proposed	083/037 P1
Rear (North) Elevation Proposed	083/038 P1
Side (North) Elevation Proposed	083/039 P1
- 3) The second floor extension hereby permitted shall not be occupied until the side, east facing dormer window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room/area in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 4) The development hereby permitted shall be carried out in accordance with the recommendations set out in the Daytime Bat Potential Roost Assessment (PRA) (Ref: WEc_GU5) July 2023.

END