



Appeal Decision

Site visit made on 22 January 2025

by R Lawrence BSc (Hons), PGDip (TP), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2025

Appeal Ref: APP/C3620/D/24/3353513

37 Wheelers Lane, Brockham, Surrey RH3 7LA

- 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 Reece Long against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/0948.
 - The development proposed is the erection of a single storey rear extension, two storey side extension and front porch.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension, two storey side extension and front porch at 37 Wheelers Lane, Brockham, Surrey RH3 7LA in accordance with the terms of the application, Ref MO/2024/0948, 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 drawing nos 24-0907 D01 Rev 01, 24-0907 D03 Rev 01, 24-0907 D05 Rev 01 and 24-0907 D07 Rev 01.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Preliminary Matters

2. The description of development on the submitted planning application form omits reference to the proposed front porch. It is clear from the submitted plans that this forms part of the proposal before me and I have determined the appeal on this basis. The appellant has used the Council's description of development on the appeal form and to ensure that the description is comprehensive, I have done the same within the above banner heading.
3. Since the planning application was determined, the Council has adopted the Mole Valley Local Plan 2020-2039 (MVLN) on the 15 October 2024. This replaces the Mole Valley Local Plan October 2000 and the Mole Valley Local Appeal Development Framework Core Strategy October 2009. In light of this, the main parties were given an opportunity to provide comments in relation to their cases and the adoption of the MVLN and I have taken these into account. In light of the MVLN now forming the adopted development plan for the area, I have considered the proposal against the relevant policies in this plan.

4. On 12 December 2024, a revised National Planning Policy Framework was published. Those parts most relevant to this appeal have not been significantly amended. I have made my decision with regard to the National Planning Framework (December 2024) (the Framework).

Main Issues

5. The main issue is the effect of the development on:
- the character and appearance of the existing dwelling and area, including whether it would preserve or enhance the character or appearance of the Brockham Conservation Area

Reasons

6. The appeal site comprises a previously extended two-storey semi-detached dwelling constructed in the 19th century and located in the Brockham Conservation Area (CA). The existing dwelling is one of four modest semi-detached cottages which feature white weatherboarding and slate roofs and are listed as non-designated heritage assets¹. The cottages demonstrate uniformity in terms of their age, form and materials, resulting in a unique appearance within their surroundings and have aesthetic and architectural significance.
7. The CA, which is focused around a village green and other areas of green open spaces, contains primarily two-storey dwellings of a modest scale with a varied mixture of building styles. The space between groups of buildings adds to the modest scale of built form and adds to the attractiveness of the area. White render and painted brick are a common material and overall, the varied architecture contributes positively to the pleasant character and picturesque appearance of the CA.
8. The proposal would retain a modest separation to the side boundary, with that distance increasing as the boundary line tapers away from the building. This visual gap would ensure the two pairs of semi-detached properties remain clearly separate. Along Wheelers Lane, whilst there is much variation in the separation distances between properties, generally there is a modest separation at first floor level. The proposal would adhere to this pattern.
9. Whilst the Design Guidance for House Extensions states that a minimum of a 1 metre gap should normally be provided, it also states that the gap distance will depend upon the density and spacing of houses in the street. In this case, whilst the gap at the frontmost corner may not provide the full 1m recommended, the retained gap would be sufficient to preserve the character of the road.
10. The separation to the boundary, together with the set down in height and set back from the original front elevation, would serve to avoid a cramped appearance, whilst also ensuring that the original modest form of the dwelling is recognisable. Of the other four cottages, several have been subject to extensions which are each varied in form. Despite this variety, the original modest scale of each remains recognisable, and by consequence a degree of symmetry retained. I find that the same would be achieved by the proposal before me.

¹ Appendix 5: Locally Listed Buildings & features (Policy EN6 – Policies Map) of the MVLP.

11. The proposed materials, white cladding and slate roofs, would match those in the existing dwelling and the dominant materials used across the group of four cottages. These materials are appropriate such to preserve the character of the existing dwelling, and such to retain the distinctiveness of the group of cottages.
12. Paragraph 216 of the Framework requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, the proposal through its use of matching materials and an appropriate form, would maintain the unique appearance of the four cottages. In turn, the aesthetic and architectural significance of the dwelling, as a non-designated heritage asset, would be preserved. Consequently, the pleasant character and picturesque appearance of the CA would be preserved, such to accord with the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. I therefore find that the proposal would safeguard the character and appearance of the existing dwelling and that it would preserve the character and appearance of the Brockham Conservation Area. The proposal would therefore accord with Policies EN4 and EN6 of the MVLP. Taken together and insofar as relevant, these require that development makes a positive contribution to local character, does not harm the elements that make a positive contribution to the Conservation Area and has regard to the architectural and historical significance of the non-designated heritage asset.

Conditions

14. The Council has suggested a number of conditions in the event of my allowing the appeal, I have considered these in accordance with the Planning Practice Guidance. A plan numbers condition together with a condition to limit the timeframe for implementation are required in the interests of certainty.
15. A matching materials condition is also required, such to preserve the character and appearance of the Conservation Area as well as the significance of the non-designated heritage asset.

Conclusion

16. The proposal would accord with the development plan, and the material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal is allowed and planning permission is granted.

R. Lawrence

INSPECTOR