

Appeal Decision

Site visit made on 22 September 2016

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 October 2016

Appeal Ref: APP/P5870/D/16/3156667

47 Little Woodcote Lane, Carshalton, Surrey, SM5 4BY

- 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 W Brown against the decision of the Council of the London Borough of Sutton.
 - The application Ref C2016/73811/HHA, dated 22 February 2016, was refused by notice dated 15 April 2016.
 - The development proposed is the erection of a detached garage with office over.
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Decision

1. I dismiss the appeal

Main issues

2. I consider the main issues are:-
 - Whether the proposal constitutes an inappropriate form of development within the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy.
 - The effect of the development on the openness of the Green Belt.
 - The effect of the development on the character and appearance of the locality.
 - If the development is inappropriate to the Green Belt for the purposes of the Framework and development plan policy, whether the harm by reason of that inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to exist to justify the development.

Reasons

3. The appeal property is a detached dwelling with a generous garden in an area of open countryside which also accommodates a scatter of generally sizeable detached homes. The proposal is as described above and would have a footprint of some 8 x 6.5 metres for garaging and access stairs with a smaller office above served by 3 rooflights and a box dormer across most of one side of the otherwise pitched roof.

Whether the proposal is inappropriate development

4. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special
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circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework. The Framework does not specifically address outbuildings but in this instance I would find it reasonable to treat the scheme before me as an extension to the dwelling given its proximity to the main home and the intended uses.

5. The national policy advice has to be read together with the relevant development plan policy which in this case includes Policy DM15 of the Council's Site Development Policies DPD (2012) (SDP). This policy allows for extensions of existing dwellings in the Green Belt provided that the openness of the Green Belt is not affected and that the increase in the floor area is no greater than 30% above the size of the original dwelling.
6. The Council Officer's report explains how the appeal scheme, cumulatively with other past works, would bring the increase in floor area to over the 30% mark. I have no reason to dispute that finding and the Appellant does not argue against the sum or provide alternative evidence.
7. The original property and plot are sizeable and include some screening. Nevertheless in my opinion, the '30% limit' would seem a reasonable one to apply in this instance and I see no justification to deviate from established development plan policy. Whether taken by floor area, internal volume or external bulk, the appeal proposal with previous works would represent a change of significant scale and addition to the original dwelling.
8. I am in no doubt that the proposal before me would represent disproportionate additions to the original building and run contrary to the prevailing policy control for development in the Green Belt.
9. On the first issue, I therefore conclude that this proposal would represent inappropriate development for the purposes of the Framework and would conflict with the pertinent LP Policy DM15; it would result in a disproportionate addition over and above the size of the original building. I attach substantial weight to the harm caused by this scheme representing inappropriate development.

Effect on Openness

10. The Framework makes it clear that an essential characteristic of Green Belts is their openness. Open can mean the absence of development irrespective of the degree of visibility of the land in question from public vantage points; development which would harm openness could be acceptable visually. In other words, openness of the Green Belt has a spatial aspect as well as a visual aspect and the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of development.
11. In this case the proposal would involve the addition of considerable floorspace and a very notable new volume and bulk of development. The change over the existing situation would be appreciable and the scheme would make a marked difference to openness within this area. In common with the Framework, SPD Policy DM15, as noted above, seeks to protect openness. I conclude that there would be conflict with a key objective of development plan

policy and the Framework and I attach substantial weight to this impact upon openness of the Green Belt.

Effect on character and appearance of the locality

12. By reason of its overall bulk and the architectural dominance of the large box dormer the proposed building would be ungainly in form and it would be sited uncharacteristically close to plot edges and the frontage road. These factors would lead to a structure which would be out of character with its surrounds running contrary to the attributes found locally of spaciousness and prevalent landscape. It would not always be hidden from view and in any event it would not represent good quality design.
13. On this basis I conclude that there would be conflict with SPD Policies DM1 and DM3 which, taken together and amongst other matters, seek to ensure that development represents suitably scaled good quality design generally and would protect local distinctiveness and the character of an area. The proposal would also run contrary to the parallel objectives within the Council's Urban Design Guide: Creating Locally Distinctive Places. I attach substantial weight to this issue.

Other considerations

14. The Appellant underlines that the generally substantial boundary treatment removes or reduces views from short and longer range views. It is explained that the scheme would not remove any vegetation of note. The garden would still be spacious and the case is made that the ridge height of the planned structure would be markedly below the main property giving the clear sense of subordination. The argument is put that given the attributes of the site and the planned design there would not be visual intrusion, adverse impact upon character or landscape harm. The Appellant rightly draws attention to the fact that the citing of SDP Policy PMP9 on the Decision Notice was not relevant as that policy relates to safeguarding and enhancing the open space network.
15. I would give each of the considerations put forward by the Appellant limited weight.

Balance and conclusions

16. In accordance with the terms of the development plan policies previously highlighted and paragraph 89 of the Framework, the proposed development would represent an inappropriate form of development in the Green Belt. The Framework requires that substantial weight must be attributed to harm by way of inappropriateness to the Green Belt. Additionally, I have found above that the proposal would be unacceptably harmful to the openness of the Green Belt and this also carries substantial weight.
17. Whilst I have afforded weight in the planning balance to the other considerations raised in support of the development these, either individually or taken together, do not clearly outweigh the harm to the Green Belt and its openness which I have identified. Therefore, very special circumstances do not exist and permission should not be granted as the proposal is contrary to guidance in the Framework.
18. The fact that the development would have adverse impact upon the character and appearance of the locality is a matter that adds to my concerns over the

proposal. However, whatever my conclusions on this non-Green Belt harm it would not have made any difference to my findings on the question of very special circumstances.

Overall conclusion

19. My overall conclusion is that the proposal would not accord with the pertinent policy elements of the Framework and the development plan. The appeal should therefore fail.

D Cramond
INSPECTOR