

Appeal Decision

Site visit made on 14 November 2016

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 5 December 2016

Appeal Ref: APP/G2245/D/16/3156336
Hillside, Uckfield Lane, Hever TN8 7LJ.

- 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 Ms Sarah Edwards against the decision of Sevenoaks District Council.
 - The application Ref SE/16/01340/HOUSE, dated 4 May 2016, was refused by notice dated 8 July 2016.
 - The development proposed is a replacement roof with accommodation within the roof space providing two new bedrooms, ensuite and dressing room. Single storey rear extension and changes to finishes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether or not the proposal is inappropriate development in the Green Belt for the purposes of the *National Planning Policy Framework* (the Framework).
 - The effect on the openness of the Green Belt
 - If the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate or not

3. The appeal property is a relatively modest detached bungalow of unorthodox design located within a ribbon of development that extends along the western flank of Uckfield Lane to the south of Hever. There is a range of building styles in the locality such that there is not a discernible architectural approach to development.
 4. The site is within the Green Belt and therefore paragraph 89 of the Framework is relevant. This states that new buildings inside the Green Belt are inappropriate unless, amongst other things, it involves the limited extension of
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- an existing dwelling. This is provided that it does not result in disproportionate additions over and above the size of the original building.
5. At the local level, these aims are reflected in Policy GB1 of the Council's "*Allocations and Development Management Plan 2015*" (the ADMP) which states that extensions to dwellings will be permitted where they meet a number of criteria. Of particular relevance in this case is criterion b) which states that the design of the extension should respond to the original form and appearance of the building and should be proportional taking into account previous extensions. They should also not materially harm the Green Belt through excessive scale, bulk or visual intrusion. Criterion c) goes on to state that the floor space of the proposal together with any previous extensions, alterations and outbuildings will not result in an increase of more than 50% above the floor space of the original dwelling.
 6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Although Policy GB1 appears to slightly broaden the definition of when extensions constitute 'disproportionate additions' beyond that given in the Framework which simply refers to 'size', the ADMP has been recently adopted and therefore I give full weight to its policies.
 7. According to the Council, the property has been previously extended. When taken together with the appeal scheme the increase in floorspace would equate to 114% which is significantly above the 50% threshold set out in Policy GB1. These figures are not disputed by the appellant.
 8. Therefore based on the foregoing, the proposal would represent a disproportionate addition to the original building contrary to paragraph 89 of the Framework and Policy GB1 of the ADMP. It would therefore be inappropriate development which is, by definition, harmful to the Green Belt. This harm carries substantial weight.

Openness

9. Paragraph 79 of the Framework states that the Government attaches great importance to Green Belts essential characteristics of which are their openness and permanence.
10. The proposed scheme would increase the footprint of the building albeit marginally. However, the proposed roof would add significantly to the height, bulk and volume of the dwelling. As a result, the proposal would cause harm to the openness of the Green Belt particularly in visual terms. The importance attached to this consideration by the Framework requires me to allocate it a significant amount of weight in my decision.

Other considerations

11. Paragraph 88 of the Framework requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. Other considerations in favour of the development must clearly outweigh the harm.
12. The appeal scheme involves several elements. Firstly, a new pitched roof over the main section of the house with projecting side gable features would enable

2 bedrooms to be created in the roofspace. The rear extension would measure 4 metres in length and 5 metres in width. There would be significant changes to the amount and pattern of fenestration together with a number of superficial changes to improve the appearance of the dwelling. The result would be a modern looking dwelling that would be almost indistinguishable from the existing unsightly bungalow. In my view, the design of the scheme is commendable and would improve the appearance of the appeal property. I also have no reason to doubt that it would not be built to high environmental standards. These benefits provide some support for the scheme.

13. I can well understand the appellant's desire to increase the amount of living accommodation available to her and her growing family and to stay in an area and property which she has long-standing links to. Nonetheless, personal circumstances will seldom outweigh more general planning considerations, particularly where development would be permanent. For the reason that they could be repeated so often in Green Belt situations across the country, such personal circumstances are not on their own capable of amounting to very special circumstances in the terms of national planning policy.

Conclusion

14. The proposal would be inappropriate development and would harm the openness of the Green Belt. The Framework establishes that substantial weight should be given to these harms.
15. Although there would be some benefit to the AONB and the character and appearance of the area through a visual improvement to the dwelling, this is insufficient to outweigh the Green Belt harms I have identified. The very special circumstances necessary to justify the proposed development do not therefore exist.
16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector