The Planning Inspectorate

Appeal Decision

Site visit made on 15 December 2016

by Timothy C King BA (Hons) MRTPI

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

Decision date: 3 January 2017

Appeal Ref: APP/G2245/D/16/3159125
1 Singles Cross Cottages, Blueberry Lane, Knockholt, Sevenoaks, TN14 7NH

- 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 P Cazaly against the decision of Sevenoaks District Council.
- The application Ref SE/16/01600/HOUSE, dated 25 May 2016 was refused by notice dated 11 August 2016.
- The development proposed is *'Construction of a dormer window in the front elevation and provision of a door in the south side elevation.'*

Decision

1. The appeal is allowed and planning permission is granted for the construction of a dormer window in the front elevation and the provision of a door in the south side elevation at 1 Singles Cross Cottages, Blueberry Lane, Knockholt, Sevenoaks, TN14 7NH, in accordance with the terms of the application Ref SE/16/01600/HOUSE, dated 25 May 2016, 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 the following approved plans: Drawing Nos. 1878(D)-01 Rev A, 14A, 2132(10)001, 2132(10)002, 2132(10)003, 2132(10)004, 2132(30)002, 2132(30)003 Proposed Plans, 2132(30)003 Side Elevations and 2132(30)004.

   3) The materials to be used in the construction of the external surfaces of the roof extension hereby permitted shall match those used in the existing building.

Procedural Matter

2. The Council has raised no objection to the proposed installation of a side door in the dwelling. I do not disagree with this approach and, as such, my assessment relates only to the proposed roof extension.

Main Issues

3. The main issues in this case are:

   i) whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework);

   ii) the effect of the proposal on the openness of the Green Belt, and whether the proposal would result in any other harm; and

   iii) if it is inappropriate development whether the harm by reason of inappropriateness and by reason of 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 the proposal is inappropriate development

4. The appeal property is a detached two storey dwellinghouse recently erected as a replacement dwelling. The property lines up with the row of neighbouring dwellings, although in the case of its immediate neighbour, No 2 Singles Cross, the term cottage is rather a misnoma given the building's significant size and height. The site lies within the Metropolitan Green Belt.

5. The Council considers that the proposal, which involves the installation of a modestly sized dormer window in the front roofslope, constitutes inappropriate development in the Green Belt as it considers that the development runs contrary to the requirements of Policy GB1 of its Allocations and Development Management Plan (DMP) and also the National Planning Policy Framework (the Framework). The Framework states that inappropriate development is, by definition, harmful to the Green Belt. All development is inappropriate unless, in the case of any new building constructed, it falls within one of the exceptions referred to in paragraph 89 of the Framework. This includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

6. The Framework provides no clear guidance over what may, or may not amount to disproportionate additions. In this particular instance, having regard to the Council's figures, these indicate that the replacement dwelling represents a floorspace increase of 49.6% on the original dwelling. This is particularly relevant given the policy wording of DMP Policy GB1 and also the approach set out in the Council's Supplementary Planning Document 'Development in the Green Belt' (SPD) which indicates that increases in floorspace of more than 50% above that of the original dwelling would not meet the criteria as to a limited extension.

7. In the case of the appeal dwelling planning permission was granted in 2015 for the installation of three rooflights and one upper floor side window to light the roofspace accommodation and an existing staircase respectively. At my site visit I inspected the roofspace accommodation and noted that it already exists, although the rooflight windows approved under the 2015 permission have yet to be installed. With reference to Proviso C of Policy GB1 and the SPD guidance the Council considers that the floorspace in the roof should be

included as additional accommodation to be taken into account in terms of the 50% threshold. In this regard proposals that involve the conversion of loft space through the addition of rooflights are not measured against the allowance wheras this is not the case for proposals that involve the addition of dormer windows which create 'volume or bulk'.

8. The crux is therefore how the stated floorspace increase of 49.6% was calculated and arrived at. Save for mentioning this figure, the Council's case report provides no details of such. I therefore have no details as to whether or not the second floor had already been factored into this calculation when planning permission for the replacement dwelling was granted. In the circumstances I consider the Council's case somewhat inconclusive in this regard and, given that the proposed dormer window would be of limited size and volume, set well within the roofslope, and in keeping with the dwelling's form and appeance, I am not of the opinion that the proposal would represent a disproportionate addition on the size of the original building. On this main issue I thereby conclude that the proposal would not constitute inappropriate development within the Green Belt for the purposes of the Framework and is not in material conflict with the aims of DMP Policy GB1 and also the SPD.

The effect of the proposal on the openness of the Green Belt

9. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open. The Council's SPD, in addressing the matter of residential extensions proposed within the Green Belt, advises that, by reason of proportionality, such development should not harm the openness of the Green Belt through excessive scale, bulk or visual intrusion. In this connection I am also mindful of the existence of three dormer windows in the front roofslope at No 2. Taking these points along with my comments on the first main issue I conclude that the proposal would not be harmful to the openness of the Green Belt. Also, the Council has not identified that any other harm would result from the proposal and I see no reason to disagree with this assessment.

Very special circumstances

10. Given my findings that the proposal does not constitute inappropriate development within the Green Belt this particular issue does not fall to be determined.

Conclusion

11. I have found the proposal to be acceptable in all respects and, for the above reasons and having had regard to all matters raised including the representations made from interested parties, the appeal succeeds. In terms of conditions to ensure a satisfactory appearance I impose a condition requiring for the use of matching materials whilst, for certainty, a condition is also imposed requiring that the development be implemented in accordance with the approved plans.

Timothy C King

INSPECTOR