

Appeal Decision

Site visit made on 13 December 2016

by J R Bell-Williamson MA MRTPI

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

Decision date: 5th January 2017

Appeal Ref: APP/G2245/D/16/3158606

Longacres, Manor Drive, Hartley, Longfield DA3 8AU

- 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 John Brown against the decision of Sevenoaks District Council.
 - The application Ref SE/16/01308/HOUSE, dated 29 April 2016, was refused by notice dated 13 July 2016.
 - The development proposed is single storey extension to existing detached bungalow.
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Decision

1. The appeal is dismissed.

Main issues

2. As the appeal property is within the Metropolitan Green Belt the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - the effect on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, whether the harm to the Green Belt 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 it.

Reasons

3. The appeal property is a detached bungalow set in extensive grounds, within a wider area of varied property types.

Whether the proposal is inappropriate development

4. The National Planning Policy Framework (the Framework) makes clear at paragraph 89 that the construction of new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions. One of these is 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.
 5. The Council refers to Policy GB1 of the Sevenoaks Allocations and Development Management Plan (the ADMP), which concerns the extension to dwellings in the Green Belt. This policy sets out a number of criteria against which extensions will be assessed, including the design and the effect on the openness of the
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Green Belt, and whether the proposal together with any previous additions would not result in an increase of more than 50% above the floorspace of the original dwelling.

6. The supporting text to the policy indicates that 'original dwelling' means the size of the dwelling on 1 July 1948 even if the original dwelling has since been replaced. The Framework, however, defines 'original building' as a building as it existed on 1 July 1948 or, if constructed after that date, as it was built originally. Policy GB1 refers to dwellings unlike the Framework which refers to buildings. Therefore, while some elements differ from the Framework, the policy does provide more detailed, local guidance with regard to this issue, particularly the 50% increase above the floorspace of the original dwelling. Accordingly, I have had regard to this guidance together with the provisions of the Framework in considering the appeal proposal.
7. The proposal involves a single storey extension to the inner wall of the front-facing gable that extends beyond the main front building line. There is no suggestion that a previous building on the site has been replaced, although the dwelling has been subject to a number of extensions over time. The Council indicates that the floor area of the original building is just over 157m², that previous extensions amount to some 314m² and that the current proposal would add just under 10m² of further development. Therefore, previous extensions together with what is currently proposed clearly exceed the threshold in Policy GB1 of an increase of more than 50% above the floorspace of the original dwelling.
8. Assessing proportionality is primarily an objective test based on size and, therefore, floorspace is not the only possible measure of the degree of change. It is instructive to compare any changes to the original physical size and scale of a building, including the degree of bulk or mass that might be added. However, in this case I am unaware of any evidence of the built form of the original building and, therefore, how any subsequent actual and proposed changes have or would effect it physically. Consequently, I find that the extent of the existing and proposed extensions in terms of floorspace, which are well above the 50% maximum permitted by local policy, do result in a degree of disproportionate change.
9. While the current proposal represents a relatively small addition in this overall context, it would add further incremental change to an already significantly extended building and would therefore add to the degree of disproportionate additions that exist. Accordingly, I must conclude that on the available evidence, the proposal would result in a disproportionate degree of change to the original building. It would, therefore, be inappropriate development for the purposes of national and local policy, which is, by definition, harmful to the Green Belt.

Effect on openness

10. The Framework states that the essential characteristics of Green Belts are their openness and their permanence. I agree with the Council that, taken on its own, the relatively small single storey addition to the front of the property would have a limited effect on openness. Due to the building's degree of set back from the road frontage it would also not be readily visible from public views. As such, I conclude that the proposed extension would not have an unacceptably harmful effect on the openness of the Green Belt in this location.

Other considerations

11. No other considerations are raised in support of the appeal.

Overall Conclusion

12. The proposed development would represent inappropriate development in the Green Belt. The Framework requires that substantial weight must be attributed to harm by way of inappropriateness to the Green Belt. While I have concluded that there would be no harm to the openness of this part of the Green Belt, this is a neutral factor in the overall consideration of the proposal's effects which does not outweigh the other harm that has been found.
13. There are no other considerations raised in support of the development that would outweigh the harm identified to the Green Belt. Therefore, very special circumstances do not exist and permission should not be granted as the proposal is contrary to guidance in the Framework and to Policy GB1 of the ADMP, as described above. Accordingly, for the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR