

Appeal Decision

Site visit made on 4 January 2017

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 12 January 2017

Appeal Ref: APP/G5180/D/16/3156164

Gladsholme, Church Road, Chelsfield, Orpington, Kent BR6 7RE

- 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 G Peart against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01821/FULL6, dated 12 April 2016, was refused by notice dated 10 June 2016.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised by this appeal are:
 - i) whether the proposal constitutes inappropriate development within the Green Belt, with particular reference to whether it would result in a disproportionate addition over and above the size of the original building;
 - ii) if it is inappropriate development, its effect on Green Belt openness;
 - iii) its effect on Chelsfield Conservation Area, a designated heritage asset, and;
 - iv) if it is inappropriate development, 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 development

3. The appeal site occupies a wedge shaped plot and contains a modest, two storey detached house with an L-shaped plan and a detached garage. The appeal site is located within the Green Belt. It faces Church Road and backs onto a large open area of grassland. The proposal would extend the house to the rear with a two storey extension with a double gabled valley roof.
 4. Policy G1 of the London Borough of Bromley Unitary Development Plan, 2006 (UDP) considers that extensions to buildings in the Green Belt are inappropriate, with certain exceptions including the limited extension of existing dwellings. This reflects the National Planning Policy Framework (the Framework) which, at paragraph 89, states that the construction of new
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buildings should be regarded as inappropriate in the Green Belt with the exception of a number of specific development types and circumstances which include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. Although the ridges of the extension's roofs would be below that of the original house the plans show that the extension would occupy more than half the width of the existing rear elevation. It would project from the rear almost half as much as the depth of the existing building at its widest point and more than half the width of the other, narrower end elevation. The appellant advises that the resulting floor area would represent a 31% increase over that of the original building. Considering the increase in floor space, the increase in other dimensions and its overall built scale and mass in relation to the modest size of the host building, the resulting size would represent a disproportionate addition over and above the size of that of the original building.
6. UDP Policy G4 only permits extensions to houses in the Green Belt where, amongst other criteria, the net increase in floor area is no more than 10% and that a significant detrimental change in the overall form, bulk or character of the original dwellinghouse would not result. As such the proposal would be contrary to UDP Policy G4.
7. However, the appellant considers this policy is inconsistent with the Framework as a result of its specification of a 10% threshold citing a recent decision¹ for a domestic extension elsewhere in the Borough in support of his position. The Council have also referred me to two recent decisions² for domestic extensions which they consider illustrative of Inspectors finding UDP Policy G4 consistent with the Framework.
8. Unlike UDP Policy G4, the Framework does not include a threshold to assess the proportionality of extensions and the floor area of an extension is only one aspect of size. In considering the proportionality of extensions, the Framework refers to buildings as opposed to just dwellings but does not require assessment of their effect on the building's form or character. However, notwithstanding these differences, the aims of UDP Policy G4 are broadly consistent with the Framework's approach that disproportionate extensions are inappropriate in the Green Belt and it can be afforded moderate weight as a result.
9. The Framework also considers that limited infilling in villages is not inappropriate development within the Green Belt, circumstances which the appellant considers exist in this case. However, given the relationship of the host building to the large open space to the rear, the extension would not fill in a gap which exists between buildings. Accordingly, I cannot agree that the effect of the proposal could be reasonably be considered as one of infilling.
10. Consequently the proposal would be inappropriate development within the Green Belt as it would not fall into the circumstances the development plan and the Framework consider as exceptions to such development. As such the proposal would be contrary to UDP Policies G1 and G4 and London Plan (2015) Policy 7.16 which together seek to resist inappropriate development in the Green Belt.

¹ APP/G5180/D/16/3148626.

² APP/G5180/D/15/3140735 and APP/G5180/D/16/3149422.

Effect on openness

11. The part of the appeal site over which the proposal would extend is currently paved and grassed garden and is undeveloped. It backs onto open grassland. As a result it has a high degree of openness which is one of the essential characteristics of Green Belts identified by the Framework. The effect of introducing the extension would harmfully reduce the openness of the site and of the Green Belt.

Effect on the designated heritage asset

12. The site is located within the Chelsfield Conservation Area. Although the proposal's effect on this heritage asset is not a matter of dispute between the parties I am required to address these matters. The Conservation Area covers the historic core of the village and the open spaces and other more widely spread buildings which surround it. It derives much of its character and hence significance from this attractive and historic townscape in its landscape setting.
13. I have paid special attention to the desirability of preserving or enhancing this character and appearance. Notwithstanding the Green Belt harm identified above, the introduction of an extension with a design which broadly reflects that of the host building and which would be discreet from the main thoroughfares running through the Conservation Area. As a result it would have a neutral, and therefore preserving, effect on the Conservation Area's significance. However, the absence of harm in this respect does not amount to a positive consideration.

Other considerations

14. The appellant considers that permitted development rights would enable extensions with a greater floor area than that proposed to be erected without planning permission. However, I have not been presented with any details of such alternative extensions or any evidence that there is greater than a theoretical possibility that such development might take place and can consequently not give such a suggestion any weight.
15. Whilst I have sympathy for the appellant's desire to extend what is currently a small house to enable him to remain close to relatives and enable his family to grow, I can only give such personal circumstances extremely limited weight.
16. The Framework makes it clear that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless such harm is outweighed by other considerations. In this case I have found harm by reason of inappropriateness and to the openness of the Green Belt and this would not be outweighed by other considerations. Consequently the very special circumstances necessary to justify the development do not exist.

Conclusion

17. For the above reasons, and having had regard to all other matters raised, the proposal would harm the Green Belt, contrary to the development plan and the Framework. The appeal is therefore dismissed.

Geoff Underwood

INSPECTOR