
Appeal Decision

Site visit made on 15 March 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 3rd April 2017

Appeal Ref: APP/M3645/D/16/3165518

Roquebrune, Carlton Road, South Godstone RH9 8LE

- 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 & Mrs N Maritz against the decision of Tandridge District Council.
 - The application Ref TA/2016/1592, dated 27 August 2016, was refused by notice dated 9 November 2016
 - The development proposed is new pitched roof to replace existing flat roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. It has been pointed out to me that the spelling of the appellant's name on the original planning application form and Council decision notice were incorrect. For the avoidance of doubt, I have used the correct spelling as provided on the appeal form in the heading above.

Main Issues

3. The main issues in this case are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - (b) The effect on the openness of the Green Belt; and
 - (c) Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal?

Reasons

Whether inappropriate development in the Green Belt?

4. The appeal site is within the Green Belt. Policy DP10 of the Tandridge Local Plan 'Part 2: Detailed Policies' (2014) (LP) states that inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm. Policy DP13 states that the construction of new buildings would be considered inappropriate, unless they meet one of a number of exceptions.
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This includes the extension and alteration of buildings where it would not result in disproportionate additions over and above the size of the original building. These policies generally conform to the Green Belt policies set out in the National Planning Policy Framework (the Framework).

5. In determining whether or not an extension or alteration would be disproportionate, the starting point must be the original size of the dwelling. Policy DP13 defines this as that which existed on 31 December 1968. There appears to have been a number of alterations to the building since it was built in 1953. This includes additions to the building which took place prior to 1968. However, even taking into account only those which took place after this date, there has been an increase in the volume of the building of around 300m³. This equates to an approximate increase of 51%. The development would add a further 37m³ to this, resulting in a cumulative increase in volume of the original building of around 57%. Neither the Framework nor LP set any specific threshold for proportionality and each case must be judged on its own merits. Nonetheless, it is clear that based on this quantitative measurement alone, the cumulative increase in volume would be significant.
6. The appellant points out that there would be no increase in footprint and suggests that the scale of the extension, in itself, would be relatively modest with no increase in habitable floorspace. However, the policies require consideration of the cumulative effect in relation to the original dwelling and not just the size of the proposal itself. If this were not the case, the openness of the Green Belt could potentially be undermined by the construction of a series of relatively small additions. Having regard to LP paragraph 13.3, as a matter of fact the development would still lead to an appreciable increase in the bulk, mass and height of this part of the building. This would not only add to the overall physical increase in the size of the building, but also the visual changes that will have taken place over time.
7. Nonetheless, the assessment of proportionality is primarily an objective test based on size. Consequently, when considered cumulatively with previous extensions and taking all relevant factors into account, I find that the development would result in disproportionate additions to the size of the original dwelling. As such, the development would not fall within the exceptions set out in Policy DP13 or the Framework and thus constitutes inappropriate development in the Green Belt. By definition, this is harmful to the Green Belt and the Framework states that such harm should be given substantial weight.

The effect on openness of the Green Belt

8. Openness is an essential characteristic of the Green Belt. Clearly, there is a building already in place and the development would not increase its footprint. I also recognise that the extension would not be prominent in public views and that Roquebrune is already a relatively large dwelling set within a generous plot. These factors would serve to moderate the effect on openness. Nonetheless, the bulk and mass of the building would be increased by the development and thus the proposal would still inevitably lead to a reduction in openness. However, in isolation, the loss of openness would be minimal rather than substantial.
9. Nevertheless, there would be a degree of harm arising from this, in addition to that resulting from the inappropriate nature of the development.

Other considerations

10. I recognise that the flat roof element of the building leads to a somewhat unbalanced appearance and the development would resolve this to an extent. I am satisfied there would be some marginal enhancement to the appearance of the host dwelling as a result of the development. This lends support to the scheme, albeit this would be qualified by the relatively discreet location of the extension which would not be prominent from public views. Moreover, the existing character of the dwelling is not particularly harmful to the wider character and appearance of the area itself. Thus the benefits of improvement carry only moderate weight in my overall decision.
11. The appellant has also argued that the increase in roof space would provide an opportunity to install solar thermal panels. I have had some regard to the potential energy efficiency improvements that could be facilitated by the development. However, the installation of the panels is not before me, nor is any mechanism to ensure their installation if the appeal were allowed. As such, I have given only limited weight to this in my overall decision.
12. The appellant states that the lifespan of the existing roof is limited and will need replacing periodically. They consider that the replacement would not only be more in-keeping with the character of the remainder of the house but would also be more environmentally friendly over time. I have no substantive evidence before me on the current structural condition of the roof, the need to replace it or anything which explains the timescales envisaged for replacement in the future. As such, I have given only minimal weight to this issue.
13. I have noted that no other harm has been identified as a result of the development, including in relation to the living conditions of nearby residents. I saw nothing to suggest I should conclude otherwise. However, an absence of harm is a neutral factor and does not weigh in favour of the development.

Other matters

14. In coming to my decision, I have had regard to the reasons given for granting the previous permission and that this took the cumulative size of additions to 51% of the original building. Nevertheless, I do not consider that this decision provides any particular justification for further incremental increases in size. Each case must be judged on its own individual merits and, in my view, the cumulative increase would result in disproportionate additions. As such, this must be considered inappropriate development in the Green Belt.
15. I have noted the appellant's comments in relation to this being the last area of roof that could be altered, and that the occupants accept they are unlikely to be able to extend the dwelling further. However, this does not constitute a benefit of the scheme to be weighed against Green Belt harm or provide sufficient justification to alter my overall conclusions on the appropriateness of the extension.

Conclusion

16. In conclusion, I have identified that the proposal would result in inappropriate development in the Green Belt as defined by the Framework. It would also have some impact on the openness of the Green Belt. The development would, therefore, be harmful to the Green Belt and the Framework indicates that such harm should be given substantial weight.

17. As explained above, only moderate or limited weight can be given to other considerations cited in support of the proposal and these would not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. In this regard, there would be conflict with LP policies DP10, DP13 and Paragraph 88 of the Framework. For this reason, I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR