

Appeal Decision

Site visit made on 25 May 2017

by D Cramond BSc MRTPI

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

Decision date: 08 June 2017

Appeal Ref: APP/M3645/D/17/3171203

19 Leazes Avenue, Chaldon, Caterham, CR3 5AG

- 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 Andrew Ball against the decision of Tandridge District Council.
 - The application Ref TA/2016/2434, dated 28 December 2016, was refused by notice dated 23 February 2017.
 - The development proposed is the erection of single storey side extension and single storey rear extension in association with conversion of loft space to habitable accommodation.
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Decision

1. I dismiss the appeal

Preliminary Matter

2. I use the Council's description of development which is more precise than the application form; I note the Appellant also uses this on the appeal form.

Main issues

3. I consider the main issues are:-
 - Whether the proposal constitutes an inappropriate form of development within the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy.
 - The effect of the development on the openness of the Green Belt.
 - The effect of the development on the character and appearance of the host property and the locality.
 - If the development is inappropriate to the Green Belt for the purposes of the Framework and development plan policy, whether the harm by reason of that inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to exist to justify the development.

Reasons

4. The appeal property is a modestly sized single storey detached dwelling with gable ends and its ridge running parallel to the road; there is a generous sized garden. It is located close to the countryside in a Green Belt area of Chaldon which is characterised by a variety of house types and sizes in large gardens
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served by low key roads creating a pleasingly spacious and fairly informal scene.

5. The proposal is as described above. It would embody extension and alteration work to provide for increased living and bedroom space at ground floor and two bedrooms with en suite facilities at first floor.

Whether the proposal is inappropriate development

6. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework.
7. The national policy advice has to be read together with the relevant development plan policies which in this case includes Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies document (LP). These policies, taken together and amongst other matters, seek to, normally, prevent inappropriate development, protect the openness of the Green Belt and allow for extensions to existing buildings provided they are not disproportionate over and above the size of the original building. Again, 'disproportionate' is not defined. Explanatory text in the LP does indicate that the Council will take a pragmatic approach to considering the matter and will take into account factors such as the size of the original building, the bulk, height, mass and prominence of the extension or alteration and the impact of the proposal on the openness of the Green Belt.
8. The Council Officer's report explains how the appeal scheme would see an increase in the volume of the accommodation by some 167%. The Appellant measures the scheme somewhat differently but not greatly below Council figures. In any event I can readily tell by eye that this scheme would be appreciably over a 100% increase mark.
9. In my opinion taking the added volume, and giving it consideration alongside what would be an increase in height of the building and a particularly marked enlargement in bulk and ground coverage, the appeal scheme would represent a change of significant scale and addition to the original dwelling.
10. I am in no doubt that the proposal before me would represent disproportionate additions to the original building and run contrary to the prevailing policy control for development in the Green Belt.
11. On the first issue, I therefore conclude that this proposal would represent inappropriate development for the purposes of the Framework and would conflict with the pertinent LP Policies DP10 and DP13; it would result in a disproportionate addition over and above the size of the original building. I attach substantial weight to the harm caused by this scheme representing inappropriate development.

Effect on Openness

12. The Framework makes it clear that an essential characteristic of Green Belts is their openness. Open can mean the absence of development irrespective of the degree of visibility of the land in question from public vantage points;

development which would harm openness could be acceptable visually. In other words, openness of the Green Belt has a spatial aspect as well as a visual aspect and an absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of development.

13. In this case the proposal would involve the addition of considerable and notable new volume and bulk of development. The change over the existing situation would be appreciable and the scheme would make a marked difference to openness within this area. In common with the Framework, LP Policy DP13, as noted above, seeks to protect openness. I conclude that there would be conflict with a key objective of development plan policy and the Framework and I attach substantial weight to this impact upon openness of the Green Belt.

Effect on character and appearance of the locality

14. The proposed extension work would take little in design cues from the existing property and would be of such a scale as to overwhelm the original home particularly from the rear and side aspects. The large hipped roof mass to the rear would be taller than the original gable ended dwelling, the abutment would look contrived with a strange roof arrangement, and the nature of the existing property would alter markedly. The extended home would not reflect the form of any other local building as far as I could see. It would be a strange sight within the local scene albeit there is presently some filtering of views by trees and the majority of works being to the rear would enable some local residents a view but would not be on full display from the public realm. This scheme would represent poor design which I could not condone.
15. On this basis I conclude that there would be conflict with LP Policy DP7 and Policy CSP18 of the Council's Core Strategy which, taken together and amongst other matters, seek to ensure that development represents suitably scaled good quality design generally which would protect local distinctiveness and the character of an area. I attach substantial weight to this issue.

Other considerations

16. The Appellant underlines that the local gardens are large and that there would be no detriment to residential amenity for neighbours.
17. The Appellant also makes it clear that the enlarged property is required to house a family.
18. The scale of the appeal proposals would be less in floorspace and volume terms than a scheme which has been approved as 'permitted development' and which has gained a Certificate of Lawfulness. The case is made that this is a, larger, and somewhat awkwardly designed fall-back and hence the lesser appeal should be allowed.
19. I am in little doubt that the 'permitted development' is quite likely to progress and indeed there were signs of development having started at the time of my visit. However bearing in mind planning policies are restrictive towards granting planning permission in the Green Belt and bearing in mind that the appeal scheme would represent poor design and would have greater bulk and would impact on openness accordingly, I would not wish to endorse the appeal proposal as a 'substitute' for the presently authorised scheme.

20. I would give each of the considerations put forward by the Appellant limited weight.

Balance and conclusions

21. In accordance with the terms of the development plan policies previously highlighted and paragraph 89 of the Framework, the proposed development would represent an inappropriate form of development in the Green Belt. The Framework requires that substantial weight must be attributed to harm by way of inappropriateness to the Green Belt. Additionally, I have found above that the proposal would be unacceptably harmful to the openness of the Green Belt and this also carries substantial weight.
22. Whilst I have afforded weight in the planning balance to the other considerations raised in support of the development these, either individually or taken together, do not clearly outweigh the harm to the Green Belt and its openness which I have identified. Therefore, very special circumstances do not exist and permission should not be granted as the proposal is contrary to guidance in the Framework.
23. The fact that the development would have adverse impact upon the character and appearance of the host property and the locality is a matter that adds to my concerns over the proposal. However, whatever my conclusions on this non-Green Belt harm it would not have made any difference to my findings on the question of very special circumstances.

Overall conclusion

24. My overall conclusion is that the proposal would not accord with the pertinent policy elements of the Framework and the development plan. The appeal should therefore fail.

D Cramond

INSPECTOR