
Appeal Decision

Site visit made on 26 June 2017

by Megan Thomas Barrister-at-Law

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

Decision date: 29th June 2017

Appeal Ref: APP/M3645/D/17/3173556

Farthing House, Chestnut Walk, Felcourt, East Grinstead RH19 2LB

- 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 Wade Turney against the decision of Tandridge District Council.
 - The application Ref.2017/235 dated 6 February 2017, was refused by notice dated 3 April 2017.
 - The development proposed is the "construction/erection of porch".
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Decision

1. The appeal is allowed and planning permission is granted for the construction/erection of a porch at Farthing House, Chestnut Walk, Felcourt, East Grinstead RH19 2LB in accordance with the terms of the application Ref.2017/235 dated 6 February 2017, 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 materials to be used in the external surfaces of the extension hereby permitted shall match those used in the main dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: FARTHING O1 dated 01/2017, Red-edged Site Location Plan dated 6 February 2017, and Block Plan showing location of proposed porch and red line (unnumbered plan).

Main Issue

2. The appeal site is situated within the Green Belt. The main issue in the appeal is whether the proposal constitutes inappropriate development or 'not inappropriate' development in the Green Belt having regard to the National Planning Policy Framework 'NPPF' and development plan policies.

Reasons

Inappropriate or 'not inappropriate' development

3. Farthing House is a single storey detached dwelling with accommodation in the roof space. It is situated off an unmade private road, Chestnut Walk, in the
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Green Belt in Felcourt. Chestnut Walk is a leafy enclave of detached dwellings in plots of varying sizes typically with mature landscaping. Other than a gap for vehicular access, Farthing House sits behind a mature tall hedge.

4. The proposal is to construct an enclosed porch near the front of the property. The dwelling has an integral garage which is the closest part of the building to Chestnut Walk. It is proposed that the porch would be located adjoining the garage but would step back from the front elevation of the garage. It would have a pitched roof. It would be visible from the public realm.
5. The NPPF sets out the national policy approach to development in the Green Belt. It indicates that decision makers should regard the construction of new buildings as inappropriate development in the Green Belt, subject to some exceptions. In general terms, new buildings include construction of part of a structure and also extending a building. One of the exceptions to inappropriateness relates to extending or altering a building provided that it does not result in disproportionate additions over and above the size of the original building.
6. The appeal site has previously been extended as a result of planning permission given in 2015. The original property had a volume of about 330m³ and the extensions which have taken place increase volume by about 154m³. The proposed porch would add about 22m³ giving a total volume for the dwelling of about 506m³. That would be a percentage increase from the original volume of about 53%. The appellant has not disputed these volumes.
7. The porch would have a pitched roof and a modest width and depth and would not have the appearance of a disproportionate extension in itself. Having considered the cumulative impact of extensions which have been allowed at this property along with the proposal, I do not consider that the proposal would result in disproportionate additions over and above the size of the original building.
8. On this issue, I conclude that the proposal would be 'not inappropriate' development in the Green Belt in terms of the NPPF and would not be contrary to policies DP10 or DP13 of the Tandridge Local Plan Part 2 – Detailed Policies (adopted 2014).

Impact on openness

9. Following *R. (on the application of Lee Valley Regional Park Authority) v Epping Forest District Council & Another* [2016] EWCA Civ 404, where development is found to be 'not inappropriate' applying paragraphs 89 or 90 of the NPPF, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt. I have adopted that approach in this case.

Other Matters

10. Putting aside the location of the proposal in the Green Belt, the Council do not consider that the proposal would harm the character or appearance of the host dwelling or the wider area. It considers that it would not conflict with policy DP7 of the Tandridge District Local Plan Part 2 Detailed Policies (adopted 2014)

or with policy CSP 18 of the Tandridge District Core Strategy (adopted 2008). I agree with that assessment. There are no other planning considerations that arise in this appeal.

Conditions

11. The Council suggested some conditions in the event that the appeal might be allowed. I have considered the imposition of conditions in the light of advice in NPPG. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty. The facing materials used in the extension should match those of the host dwelling in order to preserve character and appearance of the dwelling and the wider area.

Conclusion

12. Having taken into account all representations raised, I conclude that the proposal would not result in any planning harm and I allow the appeal.

Megan Thomas

INSPECTOR