
Appeal Decision

Site visit made on 13 June 2017

by David Walker MA MRTPI

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

Decision date: 17th July 2017

Appeal Ref: APP/G5180/W/17/3171337
Waldens Road, Orpington BR5 4EU

- 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 Watch It Come Down Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/05020/FULL1, dated 31 October 2016, was refused by notice dated 10 January 2017.
 - The development proposed is a first floor extension and pitched roof over existing storage area to be used as offices in connection with the use operating on the site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - i) whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework
 - ii) the effect of the proposal on the openness of the Green Belt and the character and appearance of the area, and
 - iii) if the development is inappropriate, 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 required to justify the development.

Reasons

3. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Under the National Planning Policy Framework (the Framework) the construction of new buildings is to be regarded as inappropriate in the Green Belt and should not be approved except in very special circumstances.
 4. Of the stated exceptions to inappropriate development at paragraph 89 of the Framework the third bullet point allows for 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. There is a specific meaning for original building under the glossary annexed to the Framework. It means the building as it existed at 1948 or, if constructed afterwards, as it was built originally.
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5. While the proposal would result in the relatively modest enlargement of the present structure, it is apparent that this has evolved over time with incremental enlargements and the amalgamation of smaller buildings. Although the proposal would be less than 5% of the total floorspace at the appeal site, the extent of the enlargement is to be assessed against the size of the original office building.
6. Since the time of the permission establishing a permanent office in 1994 the original small building has been substantially enlarged with subsequent extensions and joined to a stores building. Compared against the size of the original building on the plans from 1994 the proposed extension would amount to a significant enlargement. It is evident that there would be more floorspace in the proposal than that at the first floor of the original building.
7. Combined with other extensions added since 1994 the totality of the enlargements including the proposal would at least have doubled the size of the original building. The proposal would therefore clearly make the sum of all additions disproportionate to the original building. It would be inappropriate development under national Green Belt policy.
8. Being not widely seen and located among a grouping of existing large structures and boundary trees, there would be no significant harm to the character and appearance of the area. However, there would be a volumetric increase in the size of the office building that would inevitably diminish the openness of the Green Belt.
9. It was evident at my site inspection that the existing buildings of the appeal site were involved in commercial activities and I have no reason to doubt that the extension would be used for its stated purpose. There would be some consistency with the aims of Policy 5.17 of the London Plan to increase waste processing capacity. However, there is nothing before me to explain the extent of any beneficial effects to allow a meaningful assessment against Green Belt harm.
10. It is not demonstrated therefore that considerations exist that would outweigh the identified harm to the Green Belt. There are no very special circumstances as required at paragraph 87 of the Framework and Policy 7.16 of the London Plan to set aside the strongest protection that is to be given to the Green Belt.
11. I conclude that the proposal would have a harmful effect on the purpose of keeping land in the Metropolitan Green Belt permanently open. It would conflict with saved Policy G1 of the Bromley Unitary Development Plan 2006 which although an aged plan also requires that very special circumstances are demonstrated that clearly outweigh inappropriateness or any other harm.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

David Walker

INSPECTOR