
Appeal Decision

Site visit made on 18 September 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 29 September 2017

Appeal Ref: APP/G2245/D/17/3181051

2 Avonwood Old Bartholmy Brooms, New Road, Sundridge TN14 6AR

- 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 Chris Place against the decision of Sevenoaks District Council.
 - The application Ref SE/17/00942/HOUSE, dated 14 March 2017, was refused by notice dated 30 May 2017.
 - The development proposed is a new porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt; and,
 - if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate development in the Green Belt

3. The semi-detached house to which the proposed porch would be attached is located within the Green Belt and within the Kent Downs Area of Outstanding Natural Beauty (AONB).
 4. The National Planning Policy Framework (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 construction of new buildings should be regarded as inappropriate development in the Green Belt. A number of exceptions to this are set out in paragraph 89 of the Framework. Of these, the most relevant is that allowing 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.
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5. The Council refers to Policy GB1 of its Allocations and Development Management Plan 2015 (ADMP) which concerns residential extensions in the Green Belt. The Policy has three criteria which a proposed residential extension should meet in order to be permitted. These are that the existing dwelling is lawful, that the design is proportional and subservient to the original dwelling, and that the floor space of an extension, including previous extensions or alterations and outbuildings, should not result in an increase of more than 50% of the floor space of the original dwelling.
6. The Council indicates that the floor area of the original dwelling was 82m² and that the area of the extensions including this proposal amount to 107m², which the appellant does not challenge. In these circumstances, even though the floor area of the proposed porch is relatively small, taking into account the amount of development already added to the original building, the overall effect of extensions would be disproportionate, and substantially greater than the threshold indicated in policy GB1.
7. I acknowledge the supporting text of the policy which says that the measure of floor space alone may not fully reflect the impact of extensions on the size of the original building and that the floor space of a building can be increased without affecting its size. However, that is not the case in this proposal. Moreover, policy GB1 requires both of its spatial criteria to be met, not one or the other.
8. The proposal would therefore be inappropriate development in the Green Belt, and would be in conflict with ADMP policy GB1 and the Framework. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness of the Green Belt

9. The Framework states that openness is one of the essential characteristics of Green Belts. Openness is generally considered to be the absence of built development. The increase in the volume of development on the appeal site when compared with the existing situation would reduce the openness of the Green Belt.
10. The loss of openness in terms of area would be relatively small in the context of the floor area of the house. The proposal would have a modest height and proportion. However, it would be sited forward of the front wall of the house and towards the fields to the north. This weighs against the proposal.

Other considerations

11. I note the appellant's point about the purposes of the Green Belt. However, the proposal would encroach towards the fields to the north and conflict with the fundamental aim of the Green Belt, to prevent urban sprawl by keeping land permanently open.
12. Paragraph 115 of the Framework requires great weight to be given to conserving landscape and scenic beauty in AONBs. While the site is within the AONB, given the scale of the proposal, it would have little impact on its landscape value, and would not detract from its scenic beauty. No other considerations have been put before me which would outweigh the harm identified above.

Conclusion

13. The proposed development would be inappropriate development and the Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, there would be a minimal loss of openness. While it would not harm the AONB, this is a neutral factor in the planning balance. No other considerations clearly outweigh the totality of harm identified. Consequently, very special circumstances do not exist. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR