
Appeal Decision

Site visit made on 28 November 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 08 December 2017

Appeal Ref: APP/G5180/D/17/3181741

Jesmond, Single Street, Berrys Green, Westerham TN16 3AB

- 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 Connie Moran against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/02047/FULL6, dated 3 May 2017, was refused by notice dated 30 June 2017.
 - The development proposed is alterations to raise roof and change elevations accordingly.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the development on the character and appearance of the host dwelling and wider area;
 - If the development is inappropriate, whether the harm to the Green Belt by way 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 the development.

Reasons

Inappropriateness

3. Paragraph 89 of The Framework establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, it involves the extension or alteration of a building which does not result in disproportionate additions over and above the size of the original building.
 4. Policy G4 of the London Borough of Bromley Unitary Development Plan 2006 (UDP) provides an insight into what should be regarded as a disproportionate
-

addition. It states that extensions to dwellinghouses in the Green Belt will only be permitted if, amongst other things, the net increase in the floor area over that of the original dwellinghouse is no more than 10 per cent.

5. It is undisputed by the parties that the floorspace of the original dwelling has previously been increased. Though the proposal would not result in a further increase in the footprint of the building, the Council states that when taken together with the previous enlargement of the house it would represent an increase of some 110 square metres, equating to 52%. This is not disputed by the appellant.
6. Therefore when comparing the original building to what is proposed, the additional floorspace significantly exceeds the aforementioned threshold and as such the degree of change is disproportionate. Furthermore, although the proposed alterations would not extend the building footprint, they would result in an increase in volume and bulk, therefore adding to the imbalance between the building in its original form and as extended.
7. Drawing the above factors together, when considering the scale of the previous extension, the cumulative effect of the proposal would amount to inappropriate development which is, by definition, harmful to the Green Belt. In this regard the development would be in conflict with the Framework; Policy 7.16 of the London Plan 2015 (LP) and Policy G4 of the UDP which seek to resist inappropriate development in the Green Belt.

Openness

8. I acknowledge that the dwelling is situated within a very large and spacious plot, significantly set back from the public highway. However, the proposal would add significant bulk to the front and side elevations of the dwelling. In addition irrespective of its effect on views, the enlarged dwelling volume would occupy additional space and therefore inevitably have an adverse impact on openness. As a consequence, this part of the Green Belt would be less open than it is at present. I am mindful, in this regard that, as set out at paragraph 79 of the Framework, one of the essential characteristics of the Green Belt is its openness. The proposal would therefore be in conflict with the Framework insofar as it seeks to protect the openness of the Green Belt.

Character and Appearance

9. The appeal site is within a rural location, characterised by low density development, with dwellings that vary in design and are set back from the road within extensive and spacious plots.
10. The variation in architecture and sporadic siting of buildings gives the locality a dispersed and informal character. More specifically, the appeal dwelling when viewed from the highway to the front, has an irregularly shaped roof with a marked variation in the level of the eaves and ridgeline, giving the property an informal appearance which is part and parcel of the aforementioned character.
11. The proposed extension would alter significantly the appearance of the prominent side elevation of the dwelling facing the highway. The existing variation in the height of the building wall and eaves lines would be replaced with more uniform lines and surfaces, reminiscent of a suburban property, albeit that the stagger in the building line would be respected. This would result in harm to the informal character of the dwelling and wider area. It

would therefore conflict with Policy 7.4 of the LP; Policies BE1, G4 and H8 of the UDP and the Framework insofar as they seek to promote high quality design which complements the host dwelling and is compatible with the surrounding area.

Other Considerations

12. The provision of extra living space would suit the personal circumstances of the appellant. I am sympathetic to this desire. However, personal circumstances rarely outweigh more general planning considerations. Once built, the proposed extension would be likely to remain in place for many years to come. Therefore, I attach only limited weight to this consideration in favour of the appeal.

Green Belt balance

13. National planning policy attaches great importance to Green Belts. Therefore when considering any planning application substantial weight should be given to any harm to the Green Belt. I have found harm to the Green Belt by way of inappropriateness and to its openness. I have also found harm to the character and appearance of the dwelling and wider area. I have balanced this against the other considerations referred to above. However for the reasons given, having also had regard to all other points raised by the appellant, they do not clearly outweigh the harm identified.
14. The very special circumstances necessary to justify the development have not therefore been demonstrated. Consequently the proposed development conflicts with the Green Belt protection aims of the Framework, Policy 7.16 of the LP and Policy G4 of the UDP.

Conclusion

15. I therefore conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR