
Appeal Decision

Site visit made on 29 January 2018

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 5 February 2018

Appeal Ref: APP/G5180/D/17/3181040
21 Standard Road, Downe, Kent BR6 7HJ

- 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 Grant against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/17/01594/FULL1, dated 6 March 2017, was refused by notice dated 16 June 2017.
 - The development proposed is part one/part two storey side and rear first floor extensions.
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Decision

1. I dismiss the appeal.

Main Issues

2. The site is within the Metropolitan Green Belt and the main issues are;
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant Development Plan policies.
 - The effect on the openness of the Green Belt and the purposes of including land in it.
 - The effect on the character and appearance of the Standard Road area of Downe.
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt

3. Paragraph 89 of the National Planning Policy Framework states that the construction of new buildings in the Green Belt is inappropriate development. One of the stated exceptions is 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.
4. Policy G1 concerns the Green Belt, and lists the proposals that would be inappropriate development and the exceptions, which include the limited

extension of existing dwellings. The policy concludes with the words '*the openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.*'

5. Policy G4 is specific to dwellings in the Green Belt and states that extensions or alterations to dwellinghouses in the Green Belt will only be permitted if: (i) the net increase in the floor area over that of the original dwellinghouse is no more than 10%, as ascertained by external measurement; and (ii) their size, siting, materials and design do not harm visual amenities or the open or rural character of the locality; and (iii) the development does not result in a significant detrimental change in the overall form, bulk or character of the original dwellinghouse.
6. Returning to the paragraph 89 exceptions, the proposal is for an extension, and cannot be considered to be infilling as argued by the appellant. The test is the extent to which the proposal is a 'disproportionate addition. Policy G4 provides the local interpretation for dwellings as being a 10% increase in floor area measured externally, and it is the external measurement that matters in Green Belt considerations.
7. That policy and Policy G1 are somewhat dated, making reference to withdrawn national policy, and paragraph 215 states that in such cases due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework, the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. The Green Belt policies of the Framework are clear and the operation of a 10% local limit is not out of line with those policies.
8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. As a material consideration, the Framework does not state a significantly different aim with regard to extensions in the Green Belt, other than allowing extensions to buildings and not just dwellings, but since this proposal is for an extension to a dwelling, Policy G4 should be afforded the weight attributed by section 38(6).
9. It is agreed however that percentage addition may not be the only measure against the aims of the Framework and the statement at paragraph 79 that the essential characteristics of the Green Belt are their openness and their permanence, hence the need for the second main issue.
10. The Council calculate the addition to be 107%, due in part to the small footprint of the building as it stands. It is noted that the partner dwelling in the semi-detached pair, number 19, has had at some time a significant addition to the upper part of the original rear projection and along the side. The effect of producing something similar on the appeal dwelling will be considered later, but that must have been a large percentage increase and it is uncertain how that was treated by the Council at the time.
11. Be that as it may, the fact in this case is that the addition would be a high percentage and well over that provided for in Policy G4, and should be regarded as being a disproportionate addition over and above the size of the

original building for that reason. Therefore the exception to paragraph 89 does not apply, leaving the initial sentence of that paragraph in force, that the proposal is inappropriate development in the Green Belt.

12. 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. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as stated in paragraph 88. It is therefore necessary to consider whether there is any other harm, before considering the balance of other considerations, and whether they amount to the very special circumstances required.

Openness and Purposes of Green Belt

13. Number 21 is the last of the run of development along this part of Standard Road, before the road turns to become Mill Lane further north with more dwellings there. To the east side of that second part of the road is open land and the side garden of number 21 is part of that openness and contributes to it.
14. The proposed extension would introduce a second storey of pitched roofed accommodation where there is presently the lean-to style rear projection, the roof 'leaning to' the extension of number 19. That two storey part would project further out to the open side garden in addition. To the side there would be a further single storey extension with a pitched roof surround, albeit truncated in height with a flat roof.
15. The additions would erode openness in this prominent corner location, by reason of both height and amount of projection. That differentiates this proposal from that at number 19. As a result, the proposal causes harm to an essential characteristic of the Green Belt, its openness.
16. Turning to the purposes of the Green Belt, as set out at paragraph 80 of the Framework, the proposal, due to the location adjacent to open land, would represent a visual encroachment into the countryside, although it is acknowledged that the harm in that case is limited, given the circumstances of the case, the garden use and the intervening road.

Character and Appearance

17. Policies G1 and G4ii contain references to design and paragraph 56 of the framework states that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
18. The next door dwelling at number 19 has been extended in a way that appears to be well integrated with the original design of the pair of houses, with the newer upper pitched roof being a continuation of the lower rear slope of number 21 and that new pitch turns to integrate with the main house roof. Notwithstanding that these are in fact a pair of semi-detached houses, the effect is of a well-designed arrangement of roofs as seen from the north part of Standard Road looking back from near its junction with Mill Lane.

19. The proposal is to erect a similar rear extension instead of the lower slope on number 21, with a similar roof slope. However, drawing 17.383 indicates that the ridge would be slightly lower than at number 19, as the junction with the west hip end and level ridge would not reach the east facing slope of the main roof, and there is no indication of the further pitch at 90° to fill the gap to that main house roof. The result would be of a visually isolated double-pitch roof over the rear extension, and the rear part of the side extension. That and the 'V' shaped gap between the rear roofs of number 19 and 21 would appear disruptive to the street-scene, and due to the prominent location, the wider area.
20. Whilst the Council report is correct in stating that the *'pitched roof.....would be more in keeping with the design and material used for the host dwelling and the surrounding development'* and that is a reference to the improvement over the previous refused proposal, deficiencies remain. As a result, the proposal does not reach the standard of design sought in the Framework, nor at Policies G1 and G4ii. The single storey lean-to extension and roof do not cause that harm however.

Other Considerations

21. Harm has been found to openness and to the character and appearance of the Green Belt and the wider area, in addition to that by reason of inappropriate development. In accordance with the Framework there is a need now to consider whether the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations such that very special circumstances exist.
22. The proposal would provide additional living space on a large plot that is well-able to accommodate it, given the small size of the original house. In addition the proposal is said to reinstate the symmetry lost when number 19 was extended, but as set out above, the detailed design of the extension does not do that successfully. The Council report refers to the proposal rebalancing the pair, but that is clearly not the case as shown on the submitted drawing.
23. With doubts over an important aspect of the stated benefits, and having regard to the nature of the harm and the extent of the proposal in terms of percentage addition, the harm identified has not been shown to be clearly outweighed by other considerations and as a result, very special circumstances have not been shown to exist in order to permit inappropriate development in the Green Belt.

Conclusions

24. The proposal has been found to be inappropriate development in the Green Belt and there is harm to openness and the character and appearance of the street-scene. No other considerations have been identified that amount to the very special circumstances necessary to allow inappropriate development. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR