



Appeal Decision

Site visit made on 9 July 2019

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/L3625/D/19/3226692

2 Crossways Cottages, Masons Bridge Road, Salfords RH1 5JU

- 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 David Lee against the decision of Reigate and Banstead Borough Council.
 - The application Ref 19/00211/HHOLD, dated 6 February 2019, was refused by notice dated 2 April 2019.
 - The development proposed is a single storey side extension to existing dwelling and a front porch.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension to existing dwelling and a front porch, at 2 Crossways Cottages, Masons Bridge Road, Salfords RH1 5JU, in accordance with the terms of the application, Ref 19/00211/HHOLD, dated 6 February 2019, 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 development hereby permitted shall be carried out in accordance with the following approved plans: P3-E-101 00, P3-E-102 01, P3-E-103 00, P4-P-101 04, P4-P-102 02, P4-P-103 00, P4-P-100 01 and P4-P-001 02.
 - 3) The external surfaces of the development hereby permitted shall be constructed entirely of the materials specified in the application.
 - 4) No development shall commence including groundworks or any partial demolition until a detailed Tree Protection Plan (TPP) has been submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of trees/hedges located both on and off site. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity, including hard landscaping. All works shall be carried out in accordance with the approved details.

Main Issue

2. The main issue in this appeal is whether the proposed development amounts to inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (The Framework) and the development plan.

Reasons

3. The appeal concerns a dwelling located within the Green Belt where Government policy in the Framework identifies development that would not be inappropriate. The extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. Engineering operations are also not inappropriate provided they preserve openness and do not conflict with the purposes of including land within the Green Belt. Reigate and Banstead Borough Local Plan 2005, policies Ho 24A and Co 1 reflect Government policy regarding the Green Belt with which they are therefore consistent.
4. The Council refers to a 'rule of thumb' allowance of an increase in built volume of 30-40% over the original dwelling. It is suggested that the porch and extension would exceed this with an increase of 57%. However, neither the Framework nor the development plan policies set a specific limit or threshold for such size increases. Moreover, I see no reason why an increase of 57% should, in itself, necessarily be considered to constitute an increase of such an extent as to be disproportionate. In these circumstances this must be a matter of judgement and the amplification to Policy Ho 24A indicates that regard should be had to the form, bulk and height of the proposal in comparison to the original dwelling.
5. Moreover, the drawings submitted with the application suggest an increase in cubic volume of only about 37%, in significant conflict with the Council's calculations. The Council has not commented on the % increase suggested by the Appellant other than to indicate a failure to reach agreement on this matter. The plans provided with the application show a single storey rear projection to the original building and the Council accepts the presence of such a feature.
6. The width of the proposed single storey side extension would only be fairly modestly greater than that of the original building, while being set back to a significant extent from the front of it. It would also only project to a relatively limited degree beyond the main rear wall of the original building. Moreover, its flat roof form would result in a relatively modest height and also significantly limit its scale and bulk.
7. In consequence, the proposed side extension would be dominated by the relatively imposing two storey bulk of the original dwelling and attached gable end. The size of the porch at the front would be especially modest as, according to the Council's calculations, it would only represent about 3% of the volume of the original building. The two storey rear projection, which is not part of the original building, spans the full width of the elevation and projects fairly modestly beyond the flank. This subsumed the original rear projection and its depth is reasonably modest by comparison to that of the original two storey part, with its ridge and eaves also being noticeably lower.

8. Due to the above factors, the scheme would not result in disproportionate additions to the original building, despite the width of the side extension and increase in built volume.
9. The proposal includes the creation of an enlarged drive and ground levels do fall within this area. However, having considered this carefully at my site visit I am not persuaded that this would need to be built up to such a degree as to materially reduce the openness of the Green Belt. Although not in the same position as the existing fencing, the length of that shown on the submitted drawings would not be significantly greater. These engineering operations would therefore preserve and maintain the openness of the Green Belt.
10. The identification of extensions that would not be disproportionate in the Framework and development plan as not being inappropriate represents an implicit acknowledgement that such development would not be considered detrimental to the openness of the Green Belt. In relation to engineering operations the relevant test explicitly requires its consideration anyway. Given these factors and my findings in this case, the Council's concerns in relation to openness are not justified.
11. Even if the Council's volume calculations are accurate, it is therefore concluded that the extension, porch and enlarged drive would not comprise inappropriate development. In consequence, the proposal would comply with policies in the Framework and development plan concerning development in the Green Belt.
12. Taking account of all other matters raised, because of the acceptability in relation to Green Belt Policy it is determined that the appeal succeeds.
13. A condition requiring the development to be carried out in accordance with the approved plans is necessary to provide certainty. The facing materials used in the development should be as specified in the application in order to ensure a satisfactory appearance. Because of the proximity to trees that form part of the attractive neighbouring woodland, protection measures to prevent root damage and avoid compromising their longevity are needed to safeguard the visual amenity of the locality.

M Evans

INSPECTOR