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# Appeal Decision

Site visit made on 19 June 2019

**by M Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 August 2019**

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**Appeal Ref: APP/C3620/D/19/3223389**

**4 Park Cottages, Mill Lane, Forest Green, Dorking RH5 5ST**

- 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 and Mrs P. Loughlin against the decision of Mole Valley District Council.
  - The application Ref MO/2018/1978/PLAH, made on 21 September 2018, was refused by notice dated 6 December 2018.
  - The development proposed is a side extension to form orangery.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues raised in this case are:
  - Whether or not the proposal is inappropriate development in the Green Belt;
  - The effect of the proposal on the openness of the Green Belt;
  - The effect on the character and appearance of the area having regard to the sites location within the Surrey Hills Area of Outstanding Natural Beauty (AONB); and
  - If the proposal is inappropriate development 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 necessary to justify the development.

## Reasons

*Whether or not the proposal is inappropriate development in the Green Belt*

3. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework), at para 145, indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The extension of a building provided that it does not result in disproportionate additions over and above the size of the original building, is listed as one of the exceptions.

4. The dwelling has previously been extended. Using the figures provided by the appellant, the original property had a floorspace of 92 square metres (m<sup>2</sup>) and as a result of the previous extension, now has a floorspace of 138 m<sup>2</sup>. With the addition of the proposed orangery, the total floorspace would be 162 m<sup>2</sup>. This would be an addition of 70 m<sup>2</sup>, over and above the original 92 m<sup>2</sup>. In my view, this increase cannot reasonably be considered to result in anything but a disproportionate addition over and above the size of the original building.
5. Consequently, in not complying with the exceptions as outlined by para 145 of the Framework, the scheme would comprise inappropriate development in the Green Belt, which para 143 states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Therefore, the scheme would conflict with Policy RUD7 of the Mole Valley Local Plan (2000), which seeks to prevent disproportionate additions to dwellings. The scheme would also conflict with the provisions of the Framework.

*The effect of the proposal on the openness of the Green Belt*

6. The Framework, at para 133, indicates that openness and permanence are the essential characteristics of the Green Belt. The scheme would result in the addition of a side extension to an existing property. Whilst the scheme is not, when considered in isolation, a vast extension, it would nevertheless result in an increased quantum of built development at the site. Consequently, the scheme would not preserve, and there would be a small loss of, the openness of the Green Belt

*Character and appearance*

7. The proposed extension would be located to the side of the existing property. It would be single storey and would appear as a subservient addition to the extended property. Furthermore, whilst there are limited public vantage points, when viewed from any of the surroundings it would be viewed within the context of the existing property at the site and would not be particularly conspicuous. Given the glazed elevations of the proposed orangery there would likely be some light spillage, however given the presence of other residential properties nearby which are also likely to contribute to this, I consider that any effect in this regard would not be significant. As such, the scheme would not have an adverse effect on the character and appearance of the area, when considering its location within the AONB. The scheme would therefore accord with Policy CS13 of the Mole Valley Core Strategy (2009) and Policy LU2 of the Surrey Hills AONB Management Plan (2014-2019). Together these seek to ensure development respects the special landscape character of the locality, giving particular attention to, amongst other things, light pollution and levels of artificial light.

*Other considerations*

8. I note that examples of developments at nearby properties have been cited by the appellant. However, only brief details have been provided and I am unable to ascertain if the schemes cited are directly comparable to the scheme before me. In any event, I have judged the appeal scheme on its merits and found clear conflict with both local and national policy in respect of the scheme being inappropriate development in the Green Belt. A scheme at a nearby farm is also cited, however this refers to additional dwellings and as such is clearly distinguishable from the appeal scheme.

9. I am also conscious that the appellant is seeking an extension in order to accommodate a growing family and to provide a suitable standard of living; I accord some weight to this. This is not sufficient however to outweigh the substantial weight that is to be accorded to harm to the Green Belt.

### **Conclusion**

10. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. It would also lead to a small loss of openness. The lack of harm to the character and appearance of the area, in particular the AONB, is a neutral consideration. The other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would be contrary to Policy RUD7 of the Mole Valley Local Plan (2000), as well as the guidance of the Framework.
11. Therefore, for the reasons given and having regard to all matters raised, the appeal is dismissed.

*Martin Allen*

INSPECTOR