



Appeal Decision

Site visit made on 22 October 2019 by Andreea Spataru BA (Hons) MA

Decision by J Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2019

Appeal Ref: APP/K2230/D/19/3234892

Primroses, Chandlers Hill, Meopham, Gravesend DA13 0DF

- 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 Tom Flaherty against the decision of Gravesham Borough Council.
 - The application Ref 20190227, dated 4 March 2019, was refused by notice dated 21 June 2019.
 - The development proposed is described as "Construction of single storey rear/side extension with extended decking area and roof terrace. Change of existing dormer window to door to allow terrace access."
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property; and
 - If the development would be 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 it.

Reasons for the Recommendation

Whether inappropriate development in the Green Belt

4. Primroses is a detached, chalet bungalow located on the southern side of Chandlers Hill, within the Green Belt. The property has a private drive to the
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front, a detached garage to the side and several outbuildings within its rear garden. It also has an open, green area to the side/rear. Whilst the Council indicated that this area may not fall within the curtilage of the property, it has nevertheless not sought to contest the appellant's indication that it does so. As such, I have no reason to believe the land does not form part of the curtilage of the dwelling and have considered the appeal on that basis.

5. Policies CS01 and CS02 of the Gravesham Local Plan Core Strategy (2014) are concerned with the provision of sustainable development and scale and distribution of development. Whilst these policies refer to some degree to development in Green Belt, they are not directly relevant to the appeal proposal. Saved Policy C13 of the Gravesham Local Plan First Review (1994) refers to extensions to dwellings in the countryside and has various criteria, one of them being that there will be an overall limit of one third of the gross floor area of the original dwelling prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. However, given that the policy does not apply specifically to development in Green Belt, it does not carry significant weight.
6. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 145 and 146 of the Framework set out the forms of development that are not considered inappropriate within the Green Belt. These include the extension or alteration of a building provided that it does not result in disproportionate addition over and above the size of the original building.
7. What constitutes a disproportionate addition is not defined within the Framework. An assessment of whether an extension would be 'disproportionate' in the context of paragraph 145 is therefore a matter of planning judgement. Whilst both parties agree that the increase in the floorspace is acceptable, the floorspace should not be the sole basis for considering whether the extension with extended decking and roof terrace is disproportionate compared to the original dwelling. It is important, therefore, to consider this issue in terms of the scale, bulk, massing and built form that would result from the changes sought.
8. The proposed extension with extended decking and roof terrace would wrap around the rear and side elevations of the host dwelling. The flat-roofed extension would have the appearance of a box shaped structure. Moreover, it would project along more than half of the rear elevation of the host dwelling and beyond the side elevation, into the side garden area. Furthermore, the extension would have an elevated position above garden level due to the extended decking on which would be sited whilst its overall height would exceed the eaves height of the host dwelling. In addition to the extended decking, the balcony would also add to the overall scale of the extension. Thus, given its siting, form and scale, the development would dominate the rear/side of the host dwelling by significantly increasing its bulk, which would alter the original form of the appeal property to a disproportionate extent.
9. I conclude, therefore, that the development would not benefit from the exemptions under paragraphs 145 and 146 of the Framework. As a consequence, it would be inappropriate development, which according to paragraph 143 of the Framework is, by definition, harmful to the Green Belt.

Openness

10. The Framework indicates that openness is an essential characteristic of the Green Belt. Whilst I accept that the extension would not be unduly visible to the public, this does not mean that it would not affect the openness of the Green Belt. The concept of openness has both visual and spatial aspects. To that end, the development would increase the scale and mass of the dwelling to a disproportionate degree. As a result, in spatial terms, the openness of the Green Belt would be reduced, in that it would introduce development where presently, very little exists.
11. I conclude, therefore, that the development would have a harmful effect on the openness of the Green Belt, in conflict with the Framework. Although in isolation the loss of openness would be limited, there would nevertheless be a degree of harm arising from this.

Character and appearance

12. The brick-built chalet bungalow has a red-tiled pitched roof, with dormers to the front and rear. Although there are several windows on the rear and side elevations of the bungalow, they are limited in size.
13. The proposed extension would have a flat roof and its materials would consist of copper cladding, green roof finish and timber for the decking. Furthermore, a large amount of glazing is proposed along the rear and side elevations of the extension. The modern design of the proposed development given by its form and materials would be in contrast with the appearance of the original dwelling and the rest of the appeal site. Whilst the sedum roof would soften to some degree the appearance of the extension, this element alone would not be sufficient to successfully incorporate the extension into the original dwelling.
14. On that basis, the extension would not respect the roof form, materials, or the windows size and alignment of the host dwelling. Thus, it would fail to appear subservient and in keeping with the host dwelling. In addition, the proposed changes to the existing rear dormer window, to allow access to the balcony, would affect the symmetry between the existing rear dormers. Moreover, due to its elevated position given by the extended decking, coupled with the sideways projection into the green open area, the extension would result in a sprawling and poorly proportioned form of development. As a result, the proposal would be an incongruous addition to the appeal property and the extended dwelling would lack a cohesive form and character.
15. Accordingly, I find that through a combination of design, form, scale and materials the proposal would result in significant harm to the character and appearance of the host property. Therefore, the development would be contrary to Policies C13 of the Gravesham Local Plan First Review (1994) and CS19 of the Gravesham Local Plan Core Strategy (2014), which require, amongst other things, for development to be appropriate and sympathetic to its setting by having regard to scale, massing, materials, and its relationship to the host building.

Other considerations

16. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other

harm resulting from the proposal, is clearly outweighed by other considerations.

17. Whilst I note that the size of development has been reduced in comparison to the previously refused scheme¹, the amendments made to the original scheme are not sufficient to make the appeal proposal appear proportionate to the original dwelling.
18. The appellant argues that the property could be extended under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO). It is said that these changes to the property could be more harmful to the openness of the Green Belt than the proposal. However, even if that were the case, and a development which is more harmful to the Green Belt could be erected under the GPDO, there is nothing before me to suggest that there is any intention to construct an alternative proposal if this appeal fails. Accordingly, I give this matter limited weight as a realistic fallback position.
19. I note that no objections have been made by Meopham Parish Council or neighbours. However, a lack of objections is not a determinative factor.
20. The Council has raised no objection to the development on the basis of its effect on the character and appearance of the wider area. In addition, both parties have indicated that they consider the proposal would not harm the living conditions of other nearby residents. From what I have seen and read I have no reason to come to a different conclusion in this regard. However, this is a neutral matter rather than one that carries weight in favour of the scheme.

Whether very special circumstances necessary to justify the proposal exist

21. To conclude, the appeal proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful to the Green Belt. It would also cause limited harm to the openness of the Green Belt and would be detrimental to the character and appearance of the host property. The Framework requires that substantial weight is given to any harm to the Green Belt and that '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.
22. Whilst I have had regard to all the other considerations put before me, I consider that taken together, the factors cited in its favour do not clearly outweigh the harm the scheme would cause to the Green Belt. Consequently, very special circumstances do not exist, and the proposal would conflict with the Framework.

Conclusion

23. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

¹ Application ref: 20180675

Inspector's Decision

24. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Whitfield

INSPECTOR