
Appeal Decision

Site visit made on 28 January 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/C3620/D/19/3240480

Taranaki, Charlwood Road, Charlwood RH6 0AJ

- 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 Howard Stripp (HRS Design) against the decision of Mole Valley District Council.
 - The application Ref MO/2019/1602/PLAH, dated 10 September 2019, was refused by notice dated 31 October 2019.
 - The development proposed is the construction of a single storey garage to the front of the property.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:
 - i) whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - ii) the effect of the proposal on the openness of the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the surrounding area; and
 - iv) if the development is inappropriate, 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 the proposal is inappropriate development within the Green Belt

3. Policy CS1 of the Mole Valley Local Development Framework Core Strategy – Adopted October 2009 (CS) sets out that in locations such as this that development will be considered in light of the provisions of PPG2 ‘Green Belts’. However, PPG2 has been superseded by the National Planning Policy Framework (the Framework) and this therefore forms the main policy consideration.

4. The Framework states at paragraph 145 that the construction of new buildings is inappropriate development. It sets out a number of exceptions a) through to g). These exemptions do not make any reference to the provision of garages specifically. However, at exemption c) allowance is made for the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building. The Council have considered this. However, they state that the garage would not be associated closely with the house either visually, or spatially, so the exemption does not apply. Based on the evidence and my own site observations I have no reason to contradict the Council's position.
5. The appellant argues that the Framework does not include garages within the listed exclusions because the document was not intended to include such minor domestic outbuildings. However, there is nothing to support this assertion. I consider that paragraph 145 of the Framework is clear and that its reference to new buildings, means any new building. Furthermore, the list of exceptions is closed and none of those listed apply in this case.
6. Therefore, on the first main issue I find that the proposal would be inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework and development plan policy. The proposal would be contrary to Policy CS1 of the CS and Section 13 of the Framework which seek to protect the Green Belt from inappropriate development. The Framework directs that substantial weight is given to such harm.

The effect on the openness of the Green Belt

7. The proposed garage would be sited forwardmost of the dwelling. This area is currently open and largely laid to gravel for access, turning and parking. The proposed double garage would have a shallow pitch. This reduces the height, scale and mass of the proposal.
8. I note the presence of existing landscaping to the side boundary of the site. Whilst this would mitigate the visual impacts of the building to a degree, the prominent siting of the proposal would mean it remains visible. Additionally, the scheme includes planting to the front of the site. This may help the development to assimilate with the context to an extent, but the space available for meaningful planting would be limited. Furthermore, landscaping does not mitigate the spatial dimensions of openness. However, given the scale of the new building I find that the effect on openness would not be significant.
9. Therefore, on the second main issue I find that the proposal would harm the openness of the Green Belt contrary to Section 13 of the Framework. This seeks to ensure that Green Belt land is kept permanently open.

The effect on the character and appearance of the area

10. The appeal site is located within an area of residential ribbon development on Charlwood Road. Generally, the housing is set back from the highway with some open frontages and others enclosed by landscaping. I have observed the examples of development that the appellant has highlighted within this area to justify their proposal. However, I find that none are identical to the development before me.
11. The proposed garage would be sited prominently at the front of the site. Little space is afforded between the building and the front boundary for meaningful

planting to mitigate its visual impact. I consider that it would appear prominent and incongruous in this context. However, I consider that the surrounding built form provides some context for this type of development. As such I afford the effect modest weight.

12. Therefore, on the third main issue I find that the proposal would harm the character and appearance of the surrounding area. It would be contrary to Policies RUD9 and ENV22 of the Mole Valley Local Plan – Adopted 12 October 2000 (LP) and Policy CS14 of the CS. The aims of which include ensuring that development respects and enhances the character and appearance of the area.

Other considerations

13. As set out above, the appellant has highlighted a number of developments in the immediate locality to justify their scheme in the Green Belt. However, none are sufficiently similar to the circumstances of this specific development such as to have any significant weight. Furthermore, I note that garage structures are often permitted development, including when sited to the side of a dwelling. However, given the proposed location of the development forwardmost of Taranaki, such permitted development does not form a material fall-back position to weigh in favour of the proposal.
14. The appellant has stated that Taranaki is a family home and as such needs a garage to provide secure and covered storage. However, I do not consider that a garage is an essential requirement for every family home. Furthermore, even if it were in this case, I have no evidence that such needs cannot be reasonably met in some other way without the harm I have identified. The appellant has argued that the garage would improve their living conditions by screening noise from the road and Gatwick airport. However, I have no evidence to indicate the existing degree of impact, if any. Furthermore, I have no information as to how beneficial such a development would be in remedying any proven effects.
15. I note that the appellant has indicated that they are willing to consider revising the siting of the development, and/or the external materials, in order to reach a positive conclusion. However, I cannot consider such alternative developments as part of the appeal before me and such discussions should be had with the Local Planning Authority. Finally, I acknowledge that the proposal would not cause harm to the living conditions of the occupiers of neighbouring property and no objections have been received. However, in the context of this householder appeal I consider these to be neutral factors in any balance.
16. Therefore, in conclusion on the final main issue I find that the harm by reason of inappropriateness, and any other harm, is not clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR