



Appeal Decision

Site visit made on 9 March 2020

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/M3645/D/19/3242783

Bidbury, Hollow Lane, East Grinstead, West Sussex RH19 3PS

- 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 Michael Ellis against the decision of Tandridge District Council.
 - The application Ref TA/2019/1216, dated 2 July 2019, was refused by notice dated 17 September 2019.
 - The development proposed is a ground floor extension to the kitchen.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Green Belt, and if so 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 it.

Reasons

3. The appeal site comprises a two-storey house, garden and driveway. It is proposed to construct a single storey extension to the front of the dwelling to extend the kitchen and to also construct a new porch.
4. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'.
5. The construction of new buildings should be regarded as inappropriate in the Green Belt other than in respect to a limited range of specified exceptions, as set out in Paragraphs 145 and 146 of the National Planning Policy Framework (the Framework). One such exception is for 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. The Framework defines the 'original building' as the building as it existed on 1 July 1948. The supporting text to Policy DP13 in the Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Adopted July 2014 (the LP) defines the 'original building' for a residential building to be as it existed at 31 December 1968, which was the date when the local policy in this regard was first introduced.

6. The dwelling has been extended three times. The first was for a substantial single-storey side extension which nearly doubled the width of the house and added substantially to its bulk and footprint, following a permission granted on 4 August 1966. It is not clear from the evidence before me if this was built before or after 31 December 1968. The second was granted on 9 November 1998 and was for a front porch, side extension, and adding a second storey over the entire width of the 1966 permission extension. This further added substantially to the bulk of the house. The third was granted on 2 June 2015 for a two-storey infill extension to the south-east corner, again adding to the bulk and footprint of the house.
7. The appeal proposal would protrude from the existing north west elevation through the provision of the new porch. Although relatively modest in scale, the extensions would result in a noticeable increase in footprint and volume of the dwelling, both through the porch and the kitchen extension. The appeal proposal must also be considered in the context of the previous extensions for the purposes of both the Framework and Policy DP13 of the LP. Even if the first extension had been built prior to 31 December 1968, the combination of the subsequent two additional extensions even on their own represents significant increases in the bulk and volume of the building. The appeal proposal in combination with these previous extensions would clearly result in disproportionate additions over and above the size of the original dwelling.
8. I have found no other reason to believe that the appeal scheme would meet any of the wider exception criteria of either Paragraphs 145 or 146 of the Framework. Accordingly, the proposal would be inappropriate development in the Green Belt in the terms of the Framework, and Policy DP13 of the LP.
9. It is common ground between the appellant and the Council that all other factors are acceptable and that the proposal would not cause any non-Green Belt harm. I agree with this assessment.
10. The proposed porch would protrude beyond the existing building line and the kitchen extension would also modestly increase the footprint, volume and bulk of the building. Although there is an element of screening to the highway from existing boundary features and landscaping, the building and the proposed extension are intermittently visible from the highway, and from long range views. There would, therefore, be both a spatial and a visual effect on openness, albeit that these would be small.
11. The appellant has suggested that landscaping improvements could mitigate any effect on openness. No specific improvements have been offered for consideration. The site is currently pleasantly landscaped with fairly substantial and attractive hedgerow and tree planting, particularly to the southern and eastern boundaries. Consequently, any improvement on the existing situation, in terms of attractiveness, is likely to be limited. Although there might be opportunities to increase the amount of screening to the site to the north and east boundaries, no details on how this might be achieved have been provided, or assessment of the potential effectiveness entered into. In any case, even if effective screening were provided, the proposal would still represent inappropriate development in the Green Belt and affect spatial openness.
12. Paragraph 144 of the Framework directs me to give the harm to the Green Belt that I have identified substantial weight. The other considerations in this case do not clearly outweigh this harm. In this context the 'very special

circumstances' necessary to justify the inappropriate development do not exist, given that the matters identified by the appellant in support of the appeal scheme, including limited scale, sympathetic facing materials and landscaping, are quite common to many forms of proposed development. The proposal therefore fails to comply with the Framework, and also with the relevant parts of Policies DP10 and DP13 of the LP.

Other Matter

13. The site lies in an Area of Outstanding Natural Beauty (AONB). It is common ground between the parties that the proposed works would not harm the character or appearance of the area, and therefore by extension the AONB, and I concur with that view. Accordingly, the development proposed would preserve the character and appearance of the designated area and I shall make no further reference to this matter.

Conclusion

14. For the reasons above, I conclude that the appeal be dismissed.

O S Woodward

INSPECTOR