The Planning Inspectorate

Appeal Decision

Site visit made on 16 March 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2020

Appeal Ref: APP/P5870/D/19/3242169
22 Higher Drive, Banstead SM7 1PF

- 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 Doctor Chris Efthymiou against the decision of the Council of the London Borough of Sutton.
- The application Ref DM2019/01301, dated 24 July 2019, was refused by notice dated 28 November 2019.
- The development proposed is described as 'Erection of a first floor side extension to give the house symmetry in keeping with all the houses in Higher Drive. Conversion of current loft space bedrooms, bathroom and associated eave storage areas into full height bedrooms with en-suite shower rooms. Reduction of front aspect North-East roof size in keeping with neighbouring houses'.

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt. Accordingly, the main issues are:
   i) Whether or not the proposal would be inappropriate development in the Green Belt;
   ii) the effect of the proposed development on the openness of the Green Belt;
   iii) the effect of the proposed development on the character and appearance of the area; and
   iv) if the development would be inappropriate, whether the harm by reason 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

Whether Inappropriate Development in the Green Belt

3. The National Planning Policy Framework (the Framework) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is identified as inappropriate in the Green Belt, although exceptions include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.

4. The Framework does not define 'disproportionate additions', but Policy 24 of the Sutton Local Plan 2016-2031 (2018) (SLP) advises that the Council will

grant planning permission for extensions in the Green Belt provided that the increase in the external volume of the built form is no greater than 30% above the size of the original building. Policy 7.16 of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (LP) further advises that the strongest protection should be given to London's Green Belt in accordance with national guidance.

5. The appeal dwelling has been extended in the past. From photographs within the Building Surveyors Inspection Report dated March 1996 which forms part of the appellant's evidence and my visit, it is apparent that this includes extension to the rear and to both sides of the dwelling.

6. The Council's assessment suggests that together with past extensions, the proposal would result in an increase in the volume of the original dwelling of around 57.6%. The appellant disagrees, but has not offered an alternative figure, or put forward any detailed assessment to challenge that provided by the Council. I acknowledge that correspondence from the Council regarding extensions to the dwelling permitted in the 1990s refers to an increase of 17% in floor area, but this offers no analysis of the volume of the original dwelling or the increase that would result. Accordingly, the weight that I can afford the appellant's suggestion that the increase in volume of the dwelling would be below the 30% guideline within SLP Policy 24 is limited.

7. Notwithstanding this disagreement between the parties, it is clear from the evidence before me that cumulatively with existing extensions, the proposal would result in considerable additional volume over the original dwelling. While the increase would seem to me to be disproportionate, I am mindful that such considerations should not rely solely on a mathematical comparison of size. This is affirmed by the SLP which advises that the 30% volume increase figure should only be treated as an indication and that the Council will also consider the mass, scale and any increase in ridge height.

8. In comparison to the existing single-storey part of the dwelling closest to 24 Higher Drive, the proposed extension would result in a marked increase in the bulk of the building at both first-floor and roof levels. The extension roof would be set only slightly below the main dwelling ridge, and would be notably higher than the extension to the other side of the dwelling. Moreover, the extension would project beyond the existing first-floor rear elevation and would be of greater total depth than the main part of the host dwelling. By reason of its scale and bulk, the proposed development would therefore appear as a large, disproportionate addition to the original dwelling.

9. I acknowledge that there would be a small reduction in the footprint of the dwelling and that the gable end roof of the extension closest to 20 Higher Drive would be altered to a hipped form. Even so, these are relatively minor alterations, and would do little to offset the effect of the proposed further extension to the size of the original dwelling in both scale and visual terms.

10. For these reasons, I conclude that the proposal constitutes inappropriate development which is harmful to the Green Belt and which would conflict with the Framework. There would also be conflict with SLP Policy 24 and LP Policy 7.16. In accordance with the Framework, I give this harm substantial weight.

Openness of the Green Belt

11. Higher Drive is characterised by detached dwellings of varied designs which are set within large plots. Despite some examples of dwellings positioned close to boundaries, in the main there is generous spacing provided to one or both sides of buildings. This affords views from the street scene to a backdrop of deep rear gardens and mature landscaping. Together with the general building line of dwellings set well back from the street, these factors give the area a spacious character. Contributing to this, the single-storey section and sloping roof of the appeal dwelling closest to 24 Higher Drive provide for a notable sense of openness to this side of the site.

12. The proposal would increase the height of the dwelling closest to No 24 and would extend the ridgeline of the roof significantly closer to the boundary. The projection of the extension beyond the existing first-floor rear elevation of the dwelling would also result in a considerable increase in the total depth of the dwelling at two-storey level and a deep flank elevation close to the boundary. It would therefore add significantly to the bulk and mass of the dwelling and cause an inevitable loss of openness, including in views from the street scene.

13. The reduction in the gable end of the extension to the appeal dwelling closest to 20 Higher Drive would increase openness here. However, its limited depth and height mean that the benefit would be modest. The development also includes a small reduction in the width of the rear part of the dwelling and therefore its footprint, but there would be no change to the width at the front of the dwelling and so any improvement in openness would not be readily apparent from the street scene. These alterations would not therefore mitigate the loss of openness resulting from the proposed first floor side extension.

14. While the impact would be relatively modest given the scale of the extension, the proposal would nevertheless result in some harm to openness of the Green Belt. This would conflict with the Framework which emphasises that openness is one of the essential characteristics of Green Belts, as well as with SLP Policy 24 and LP Policy 7.16 which seek to protect the Green Belt and preserve its openness. I give this harm substantial weight.

Character and Appearance

15. The proposal would significantly alter the appearance of the appeal dwelling. However, dwellings on Higher Drive are of mixed designs. The extension would be set back from the adjacent front elevation of the dwelling and set down slightly from the roof providing a degree of subservience to the host dwelling and the proposed fenestration and detailing would additionally be sympathetic.

16. Many dwellings on Higher Drive are larger than the appeal dwelling. However, in general the variation in scale of the buildings reflects the size and width of the individual plots. As a result, there remains an overall sense of spaciousness around dwellings. I accept that as proposed, the size of the dwelling would not be inconsistent with others nearby, but the appeal site is narrower than many others on the street. The proposed first-floor extension would increase the width of the dwelling at first floor, and would add significantly to its bulk and mass overall. This would increase the dwelling's prominence, and would erode space around the dwelling, detracting from the spacious character of the street scene of Higher Drive.

17. The appellant suggests that the design of the dwelling would be consistent with others on Higher Drive, and that the proposal would balance its appearance. Nevertheless, given its set back and the diverse appearance of dwellings here, No 22 is not an unduly prominent or incongruous feature in the street scene and I am not persuaded that the proposal offers a significant enhancement.

18. For these reasons, I conclude that the proposal would cause harm to the character and appearance of the area. As a consequence, it would conflict with Policy 28 of the SLP which includes a requirement for development that respects local context and responds to local character. There would also be conflict with the Design of Residential Extensions Supplementary Planning Document 2006 which advises that proposals detracting from the appearance of areas characterised by dwellings set within spacious plots will be resisted.

Other Considerations

19. In support of the proposal, I am sympathetic to the appellant's desire to improve living conditions within the dwelling and to reduce expense associated with leaking tiles, and I give some weight to the provision of additional living space which would help to meet the needs of the appellant's family. Existing trees would be retained and the Council have not raised the effect of development on neighbouring dwellings as a concern. However, the absence of identified harm in these respects is a neutral factor and does not weigh in favour of the proposal.

20. I note the appellant's comments that other dwellings nearby have been extended beyond the 30% guideline within the SLP and references to larger neighbouring properties. However, given the very limited details presented I can draw little comparison with the appeal proposal. In any event, all proposals for development must be determined on their individual merits. The weight which can be attributed to these examples is therefore limited.

Conclusion

21. Drawing matters together, the proposed development would be inappropriate development which is, by definition, harmful to the Green Belt. The proposal would also lead to a loss of openness which would cause harm to the Green Belt, and there would be harm to the character and appearance of the area. The Framework advises that substantial weight should be 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. I find that the other considerations put forward within the evidence, either individually or collectively, do not in this case clearly outweigh the harm that I have identified so as to amount to the very special circumstances necessary to justify the development in the Green Belt.

23. The development would therefore conflict with Policies 24 and 28 of the SLP and Policy 7.16 of the LP, as well as the Framework and for the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR