
Appeal Decision

Site visit made on 22 June 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2020

Appeal Ref: APP/M3645/D/19/3243840

1 Carewell Cottages, St Piers Lane, Dormansland RH7 6PN

- 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 Tony Grimley against the decision of Tandridge District Council.
 - The application Ref TA/2019/1280, dated 12 July 2019, was refused by notice dated 6 November 2019.
 - The development proposed is a two storey side and a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the site address from the planning application form although I note that this is expressed differently on other documents.

Main Issues

3. The main issues raised in respect of this appeal are: -
 - a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - b) The effect of the proposal upon the character and appearance of the existing property; and
 - c) Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal?

Reasons

Inappropriate development

4. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts being 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. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (the Local Plan) sets out

that planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused.

5. The Framework states that the local planning authority should regard construction of new buildings as inappropriate development in the Green Belt unless it is for one of seven specific exceptions (paragraph 145 of the Framework). One of the exceptions is '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'. Policy DP13 of the Local Plan also sets out this exception and similarly requires the extension or alteration to residential dwellings within the Green Belt not to result in disproportionate additions over and above the size of the original building as it existed at 31 December 1968.
6. Although the Local Plan was adopted prior to the Framework, the objectives of the Local Plan are in line with the 2019 Framework and therefore I give Policies DP10 and DP13 full weight.
7. The Council has undertaken a mathematical assessment and calculates that the original building (including those parts to be demolished) along with the proposed additions would have a total volume of approximately 487.9 metres cubed, which it says equates to around a 87.7% increase over the volume of the original building. However, the appellant disputes the Council's calculations. I note that the appellant has included the attached single storey rear shed and coal bunker within his calculations pertaining to the original building and has calculated the volume increase to be approximately 152 metres cubed, which is said to represent an approximate 49.1% increase over the size of the original building (taking account of a revised lower ridge height). Whilst it is contended that the Council has a long record of approving schemes that result in extensions of up to 50%, I have not been directed to any specific examples.
8. There is clearly a difference in opinion between parties as to what parts of the property at the site would constitute the original building. Corresponding to this, there is also difference between parties as to the resulting volume of the development that would take place. Taking the lesser of the two calculations, the addition would add 49.1% volume, this is, almost half the size of the existing property. This would represent a disproportionate addition over and above the size of the original building. As such, this would be inappropriate development that, by definition, would be harmful to the Green Belt and that would be contrary to the Framework and Policies DP10 and DP13 of the Local Plan.

Character and appearance

9. Although the proposed two storey side extension would be stepped back from the frontage of the host dwelling and would have a lower ridge height, the extension would have a wider frontage than that of the existing dwelling. The width, combined with the overall size of the two storey side extension, would create an extension of larger appearance appended to the host property and would visually compete with the host building. As a result, it would not have the appearance of a subservient addition to the existing dwelling, despite being designed to match the appearance of the existing dwelling. Consequently, the side extension would not reflect or respect the character of the host property.

10. For these reasons, the proposed development would be harmful to the character and appearance of the existing property. The proposal would, therefore, conflict with Policy CSP18 of the Tandridge District Core Strategy 2008 (the Core Strategy) and Policy DP7 of the Local Plan. These policies require, amongst other matters, development to be of a high standard of design and to reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness.

Other considerations

11. The adjoining property at 2 Carewell Cottages has been extended at ground and first floor level. I have not been provided details as to when those additions to the property took place and it is possible that they were permitted under different policy circumstances to those currently in place. In addition, that property does not host a two storey side extension. The proposal before me is, therefore, a different proposal to those extensions that have taken place at 2 Carewell Cottages and can and should be considered on its own merits.

Conclusion

12. In conclusion, I have identified that the development would be inappropriate development in the Green Belt as defined by the Framework and Policies DP10 and DP13 of the Local Plan. The proposal would also harm the character and appearance of the existing property. The extensions that have taken place at 2 Carewell Cottages do not offer support for the proposal. Therefore, I have found that the other considerations advanced in support of the proposal in this case do not clearly outweigh the harm that I have identified which is the test that they have to meet. The proposed development would by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight.
13. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development conflicts with Policies DP7, DP10 and DP13 of the Local Plan, Policy CSP18 of the Core Strategy and the advice in the Framework. Therefore, for the reasons given I conclude that the appeal should fail.

Nicola Davies

INSPECTOR