
Appeal Decision

Site visit made on 24 August 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2020

Appeal Ref: APP/M3645/D/19/3237027

1 Rose Cottages, Tandridge Lane, Tandridge RH8 9NS

- 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 & Mrs Cheeseman against the decision of Tandridge District Council.
 - The application Ref TA/2019/1073, dated 5 June 2019, was refused by notice dated 22 August 2019.
 - The development proposed is single storey extension and two velux roof lights in existing roof.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of proposed development and site address from the planning application form although I note these are 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 on the openness of the Green Belt; and
 - (c) Whether harm by reason of inappropriateness 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 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 (for residential dwellings) or if constructed after the relevant date, as it was built originally.
6. The Council has undertaken a mathematical exercise that indicates that since 1968 those additions to the property plus the proposed single storey extension would result in a volume increase of 128% over the size of the original property. This would more than double the size of the original property. The proposal, taken collectively with the other post 1968 additions, would be a disproportionate addition to this property.
7. The appellants contest the Council's mathematical calculation saying that when totalled up the proposed area of the extensions new and old would only be one metre square bigger than the total area of the original building. However, how this calculation has been arrived at has not been explained. In coming to its volume conclusions the Council indicates that it has had regard to the planning history of the site. I find this to be a more convincing evidence base.
8. In not complying with the exceptions, the proposal would be inappropriate development in the Green Belt, which paragraph 143 of the Framework states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I also find that the proposal does not comply with Policies DP10 and DP13 of the Local Plan. Whilst I have also been referred to Policy DP7 of the Local Plan and Policy CSP18 of the Core Strategy, these policies deal with character and design and do not specifically relate to development within the Green Belt.

Openness

9. The Framework sets out that openness is one of the essential characteristics of Green Belts. The extension would result in a small loss of openness and taken in isolation the impact on the openness of the Green Belt would be slight. Notwithstanding this, it remains that the proposal would be inappropriate development in the Green Belt.

Other considerations

10. I observed that the adjoining property has been extended. It is advised that that property received planning permission in 2009 for an extension 100% of its original built form. However, the consideration and determination of that proposal pre-dated the Framework and the current adopted Local Plan. That proposal was, therefore, permitted under different policy circumstances to those currently in place. The proposal before me should be considered within the context of the current development policy. The extensions to the adjoining

property, although large, do not offer support or justify a disproportionate addition to this property. This holds little weight.

11. Whether or not that adjoining property could be split reverting it back to two separate dwellings each with sizable post 1968 additions at a future point in time is a somewhat speculative proposition. On the available information I have no substantive evidence that would clearly indicate a future scheme of that nature is likely to be forthcoming. This, therefore, does not offer support for the proposal and holds no weight for this reason.
12. I acknowledge that the proposed extension would be positioned behind the previous extension and would, therefore, not constitute road frontage development and would not encroach upon the wider Green Belt. The location and design of the proposed extension would be acceptable taken on its own merit. However, this holds neutral weight as the development would, in planning terms, be required to be satisfactory in this respect.
13. I note that no objection was raised to the proposal following the Council's statutory consultation process. Whilst this may be so, this does not justify inappropriate development in the Green Belt and so carries no weight.

Conclusion

14. 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 extensions that have taken place at the adjoining property do not offer support for the proposal. 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.
15. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development conflicts with Policies DP10 and DP13 of the Local Plan and the advice in the Framework. Therefore, for the reasons given I conclude that the appeal should fail.

Nicola Davies
INSPECTOR