



Appeal Decision

Site Visit made on 20 October 2020

by Martin Small BA (Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2020

Appeal Ref: APP/M3645/D/20/3255831

Little Sandford, Snow Hill, Crawley Down, RH10 3EY

- 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 L Meldrum against the decision of Tandridge District Council.
 - The application Ref TA/2020/352, dated 19 February 2020, was refused by notice dated 17 April 2020.
 - The development proposed is demolition of existing detached garage. Erection of replacement detached garage with residential accommodation ancillary to Little Sandford.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the proposal would be inappropriate development within the Green Belt;
 - ii) the effect on the openness of the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the site and area; and
 - iv) would the harm, by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

3. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (the Local Plan) states that inappropriate development is, by definition, harmful to the Green Belt and will normally be refused. Proposals involving inappropriate development will only be permitted where very special circumstances exist. This approach reflects paragraph 143 of the National Planning Policy Framework (the Framework). Policy DP13 of the Local Plan sets out the Council's approach to the assessment of buildings in the Green Belt. This approach is consistent with paragraph 145 of the Framework which states that

the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a list of specific exceptions.

4. However, Policy DP14 of the Local Plan explicitly deals with proposals for new garages and other ancillary domestic buildings within the Green Belt. This is not a form of development that the Framework supports, but the policy sets out four specific criteria which such proposals must meet to be acceptable. The criteria relevant to the proposal before me are that the proposal must not be dominant or excessive in size having regard to the size of dwelling it is to serve; not detract from the rural character or appearance of the locality; and not be used for any purpose which is not incidental to the enjoyment of the dwelling.
5. The appeal property is a large detached two-storey dwelling with a traditional pitched and tiled roof, one of a small group of dwellings on Snow Hill, which leads off the B2037. Snow Hill and the wider locality of the appeal site are characterised by dwellings in extensive, spacious plots. The proposed building would be substantial, measuring 6.6 m wide, 14.0 m long and 5.5 m high with a tiled mansard roof but it would not be excessive in size in relation to the size of Little Sandford.
6. The building would be hidden from the B2037 by existing vegetation and from Snow Hill to the east of the site by a tall conifer hedge on the eastern boundary of the appeal property. However, the building would be clearly visible through the entrance to the property. The mansard roof would significantly increase the overall bulk of the proposed building as well as being an incongruous feature that would draw attention to it. The building would therefore be dominant in this view.
7. Furthermore, as a consequence of its front door and windows, the building would have a domestic appearance rather than that of an ancillary structure. It would be sited very close to the conifer hedge on the eastern boundary, which would be at odds with the spacious surroundings of the existing dwellings in the area. Therefore, as a result of its size, form, appearance and siting it would detract from the rural character and appearance of Snow Hill.
8. I am satisfied that as the access, parking area and garden are shared with the main dwelling, the use of the proposed building could be restricted by a condition were the proposal to be acceptable in all other respects. Nevertheless, the proposal fails to comply with criteria 1 and 2 of Policy DP14 and thus falls to be considered against Policies DP10 and DP13 of the Local Plan.
9. Section F of Policy DP13 sets out that the replacement of buildings within the Green Belt (outside the Defined Villages) is one of the exceptions to the general presumption against new buildings in the Green Belt. This is consistent with the exception listed in paragraph 145 d) of the Framework which sets out that the replacement of a building is acceptable, provided the new building is in the same use and not materially larger than the one it replaces. These requirements are reflected in criteria 1 and 2 of Policy DP13.
10. The existing building comprises a garage at the front with a workshop / store to the rear. It is 5.3 m wide and approximately 12.4 m long with a shallow pitched roof 3.2 m high to the ridge. The proposed replacement building would retain a smaller garage to the front but have a kitchenette and living area to

the rear with a bedroom, bathroom and store above. The proposed building would therefore be in a different use to the existing garage / workshop / store and with the dimensions set out above and a mansard roof, it would be materially larger overall.

11. I therefore conclude that the proposal would be inappropriate development which would conflict with local and national policy to protect the Green Belt.

Openness

12. As set out in paragraph 133 of the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are therefore their openness and permanence. Openness has both spatial and visual aspects.
13. The existing building limits the contribution of the site to the openness of the Green Belt. However, I have found above that the proposed building would be materially larger than the existing building. It would therefore, spatially, result in a loss of openness.
14. Although clearly visible through the entrance to the property, being single-storey with a shallow pitched roof, the existing building is relatively low and consequently discreet. Views of the building from outside the site would be limited and views through the entrance to the site beyond the existing building are restricted by vegetation but the increased height of the proposed building would make it more prominent and result visually in the loss of openness. Consequently, these spatial and visual effects would overall, result in a limited loss of openness.
15. I therefore conclude that the proposed development would result in the loss of openness which would be harmful and thereby conflict with local and national policies to preserve the openness of the Green Belt.

Character and appearance

16. The proposed building would be a substantial structure due to its width and length and particularly its height and bulk at first floor level. I have already found it to be harmful to the rural character of the locality due to its size, form, appearance and siting. The use of sympathetic materials would not significantly diminish the harm that would arise from these attributes.
17. I therefore conclude that the proposed building would harm the character and appearance of the site and area, contrary to Policy CSP 18 of the Tandridge District Core Strategy and Policy DP7 of the Local Plan which require, amongst other things, development to reflect and respect character and local context.

Other considerations

18. The appellants wish to vacate the main dwelling in favour of their son and his family whilst remaining in the area and enjoying the support of their family. However, the proposed development would remain long after these personal circumstances have ceased to be material. Furthermore, it has not been demonstrated that ancillary accommodation could not be provided through a development more in keeping with the character of Snow Hill and the area. I therefore give this consideration limited weight in my assessment.

19. Felbridge Parish Council supports the proposal subject to a condition requiring the proposed accommodation to remain ancillary to the main property, but with no explanation for that support I also give this limited weight. The lack of objections raised by the occupiers of other dwellings on Snow Hill is not a benefit of the proposal and so attracts neutral weight in my decision.

Green Belt Balance

20. I have found that the proposed development would be harmful to the Green Belt by reasons of inappropriateness and loss of openness. The Framework requires me to give this harm substantial weight. I find that the other considerations in this case do not clearly outweigh this harm. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

21. The proposal conflicts with the development plan as a whole and for this reason the appeal is dismissed.

Martin Small

INSPECTOR