

# Appeal Decision

Site visit made on 30 November 2020

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 December 2020.**

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## **Appeal Ref: APP/M3645/D/20/3257003**

### **Stable Cottage, The Holt, Church Lane, Chelsham, Warlingham CR6 9PG**

- 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 G Dyer against the decision of Tandridge District Council.
  - The application, Ref. TA/2020/147, dated 24 January 2020 was refused by notice dated 3 June 2020.
  - The development proposed is the erection of a detached garage.
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## **Decision**

1. The appeal is allowed and planning permission is granted for the erection of a detached garage at Stable Cottage, The Holt, Church Lane, Chelsham, Warlingham CR6 9PG in accordance with the terms of the application, Ref. TA/2020/147, dated 24 January 2020, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
  - 2) The development shall be carried out in accordance with the following approved plans: Drawing Nos. A17012 A(SE)02 Rev. B; Dyer Rev. C; A170012 A(2) 04; A17012 AL(0) 01;
  - 3) The development shall be carried out in accordance with details / samples of materials first submitted to and approved in writing by the Local Planning Authority.

## **Main Issue**

2. The main issue is whether or not the proposed garage would be inappropriate development in the Green Belt.

## **Reasons**

3. The Council has appraised the proposed garage against the criteria in Policy DP14 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 ('the Local Plan'). This sets out four provisos that must all be satisfied before new garages and other new ancillary domestic buildings in the Green Belt (outside the Defined Villages) will not be 'inappropriate development' and therefore permitted if there are no other reasons to withhold consent.
  4. In this case is considered that whilst the appeal scheme would satisfy three of the four requirements, it would fail a fourth by being 'a dominant feature' and
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'excessive in size' having regard to the dwelling it is to serve. I consider that this might reasonably be equated to the term 'disproportionate addition' in Paragraph 145 of the National Planning Policy Framework 2019 ('the Framework'), in respect of extensions to buildings in the Green Belt.

5. The appeal scheme was twice amended during the application stage to meet officers' concerns as to its size. The officers' report says that despite amendment the building would still be considered as being a very large and dominant structure when seen positioned against the host building, Stable Cottage. There is little or no additional evidence presented, although the garage's 'very steep ridge' is cited as being a factor in the comparison between the buildings.
6. However, the grounds of appeal are helpful in the exercise of a planning judgement as to compliance or otherwise with proviso 1 of Policy DP14. The amendments have resulted in the appeal scheme having a total of 165m<sup>3</sup>, which is 29% of the volume of Stable Cottage. As the proposed garage would have a volume of less than a third, I take the view that it would neither be dominant nor excessive in size in relation to the host dwelling. I also note the additional function that the building would serve in relation to woodland management which accounts for some of the required volume.
7. I also have to have regard to the effect of the building on the openness of the Green Belt. The setting of Stable Cottage is one of a forest clearing in which the buildings including the neighbouring dwellings are read as a loosely knit cluster. The garage would be separated from Stable Cottage sufficiently for the two buildings not to be regarded as a single mass of an oppressive scale. On the other hand it would not be so isolated as to draw the eye as being an impediment to the existing perception of the space and openness that separates Stable Cottage from Garden Cottage, The Lodge and The Holt.
8. Taking together the subservient proportionality of the proposed garage to the host dwelling and that it would not materially affect the openness of the Green Belt, I conclude that it would not be inappropriate development in the Green Belt. There would therefore be no harmful conflict with Local Plan Policies DP10, DP13, DP14 and with the Framework.
9. As the Council has not raised any other objections to the proposal I shall allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for certainty and is in the interests of proper planning. A condition requiring the Council's approval of materials will safeguard visual amenity.

*Martin Andrews*

INSPECTOR

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