



Appeal Decision

Site visit made on 21 January 2021

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 26 January 2021.

Appeal Ref: APP/M3645/D/20/3260168

Sunnybank, Southfields Road, Woldingham CR3 7BG

- 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 Barrington Johnson against the decision of Tandridge District Council.
 - The application Ref: TA/2020/1187 dated 7 July 2020, was refused by notice dated 7 September 2020.
 - The development proposed is erection of a 8m lower ground floor rear extension using roof space as a terrace and reorganisation and modification of single storey family dwelling front elevation with roof space family unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - b) Its effect on the openness of the Green Belt, and on the character and appearance of the local area;
 - c) Other considerations; and
 - d) Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Issue a) Whether Inappropriate Development

3. The appeal property is a detached chalet bungalow on a sloping site which slopes down from Southfields Road. There are residential properties of individual design and scale on both sides of the appeal property with open countryside surrounding and opposite the site. The appeal site is situated within the Green Belt. The proposal would comprise a two storey side and rear extension, following the removal of the existing garage, and making use of the

sloping site to create accommodation at lower ground level. From the front, the property would continue to be read as a chalet bungalow.

4. The National Planning Policy Framework (Framework) sets out the government's planning policies to secure sustainable development. Paragraph 133 sets out the great importance that the Government attaches to Green Belts and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 confirms that *inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraph 145 sets out that the construction of new buildings is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The Framework does not define further the term 'disproportionate'.
5. The Council has also referred to Policies DP10 and DP13 of the adopted Tandridge Local Plan – Part 2: Detailed Policies (Local Plan) in its reason for refusal. Policy DP10 indicates that permission will normally be refused for inappropriate development and the supporting text refers back to the Framework in terms of the definition of the exceptions to inappropriate development. Policy DP13 sets out more detailed guidance and indicates that the Council will take a pragmatic approach to each case, taking into account a range of factors, including, amongst others, bulk, height, mass and proportions of the additions over and above the size of the original dwelling. It further indicates that as a general rule, the Council will take into consideration the increase in the volume of the dwelling over and above the dwelling as originally built or as existing on 31 December 1968 (whichever is the later) to assess whether a proposal would result in a disproportionate addition.
6. There are differing views regarding the size of the volume increase over the original dwelling (as of 1968). I appreciate that the Council appears to have set out different calculations over a period of time, and on the basis of different applications relating to the same dwelling. However, on the basis of the Officer's report on the proposal before me, the Council calculates that the overall volume of the original dwelling was approximately 390cu. m and with the proposed additions it would increase to 842cu. m. This excludes the part of the basement that would be wholly underground but nonetheless the calculation indicates that the proposed increase in volume, taking account of any additions since 1968, would result in an increase in excess of 100% in comparison with the original dwelling.
7. The Appellant has criticised the Council but not provided an alternative volume assessment. The figures on the submitted plans are on a floorspace basis and indicate an increase in GIA from 146 sq m to 318 sq m, but it is not clear whether they are based on the existing rather than the original (1968) dwelling and they also include the area of the basement wholly underground, and discounted by the Council in its mathematical assessment.
8. However, and notwithstanding the different approaches and different figures used over time, I have no doubt that the large scale of increase in terms of both floorspace and volume over and above the original dwelling would be a disproportionate addition to that original dwelling. Furthermore, I also agree with the Council that the rear extension in terms of its depth and volume would add significantly to the overall massing of the property.

9. Taking all these matters together, the proposed extension would be a disproportionate addition over and above the size of the original dwelling and so would be inappropriate development for the purposes of the Framework and development plan policy.

Issue b) Openness and Character and Appearance

10. Inappropriate development is, by definition, harmful to the Green Belt, as set out within the Framework, and in accordance with that guidance, I therefore attach substantial weight to this harm which I have concluded under my first issue. I have also considered whether there is any other harm.
11. The addition of further built development on the site, with the consequent increase in the bulk and massing of the property, would inevitably lead to some reduction in openness, which is the essential attribute of the Green Belt. This harm to openness would therefore add to the harm I have already concluded.
12. However, I agree with the Council that in terms of character and appearance of the existing building and the local area, the proposed extension would be well designed to make use of the sloping site to create an attractive addition to the property. The local area has dwellings of individual design and scale and the property as proposed to be extended would not detract from that varied pattern of development. I therefore find no harm to the character and appearance of the local area and no conflict with Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan as well as the Framework and in particular Section 12, all of which seek a high quality of design which respects the local context. No additional harm is therefore added in this regard.

Issue c) Other Considerations

13. The Framework indicates at paragraph 144 that substantial weight should be attached to any harm to the Green Belt. Very special circumstances to justify such development 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. I now turn to the other considerations in support of the development which have been put forward.
14. I have sympathy with the family and health related reasons for seeking to improve the accommodation at the property, although there is limited information before me to explain the rationale for this particular solution. Furthermore, the harm I have concluded would remain after these personal reasons cease to be material. I can only give very limited weight to these arguments in support of the proposal.
15. The Appellant has referred to his concerns over the manner in which the application was progressed; however, these are matters which would need to be addressed to the Council. My assessment is based solely on the planning merits of the proposal. I am unable, therefore, to afford any weight to these arguments in favour of the scheme.
16. The Appellant has referred to other extensions and alterations which have been permitted in close proximity to the appeal site. I have not been provided with any specific details of these other developments but nonetheless, in so far as I am able on the very limited information before me, I have taken them into consideration. However, each application must be considered on its individual merits and in accordance with national and local policy. The existence of other

permissions, extensions and alterations do not therefore add weight in support of the proposal.

17. There would be no harm to the amenities of neighbouring properties, but the absence of harm in this regard does not in my view add weight in support of the proposal.
18. The fact that the appeal property is assessed by the Appellant to be one of the smallest dwellings in the immediate local context is not a relevant determining factor in terms of the clear national and local plan policy basis for assessment; it does not therefore add support in terms of this proposal.

Issue d) Balancing of Considerations and whether very special circumstances exist.

19. I have already found that substantial weight must be given to the harm to the Green Belt by reason of the inappropriateness of the proposed extension. The harm from loss of openness adds to the harm by reason of inappropriateness. The totality of the harm I have concluded is not clearly outweighed by the other considerations. I do not find that the very special circumstances required to justify the proposed development of the extension to the dwelling exist.
20. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR