
Appeal Decision

Site visit made on 19 March 2021

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 28 April 2021.

Appeal Ref: APP/M3645/D/20/3259747

Wildshaw, Furzefield Chase, Domans Park, Surrey, RH19 2LY

- 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 Ms Gemma Pickford against the decision of Tandridge District Council.
 - The application Ref TA/2020/665, dated 24 March 2020, was refused by notice dated 1 July 2020.
 - The development proposed is a single storey rear infill extension with balcony, first floor side extension with pitched roof over existing double garage, two storey front porch extension, and paint and render finish to existing and proposed elevations.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt.
3. The further main issue is, if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development and effect on openness

4. The Framework states that the construction of new buildings should be regarded as inappropriate in Green Belt. Exceptions to this are listed in paragraph 145 of the Framework, which includes 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.
 5. Policy DP10 of the Tandridge Local Plan 2014-2029 (adopted 2014) states that within the Green Belt planning permission for any inappropriate development
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- will normally be refused. Policy DP13 allows for the extension of existing dwellings within the Green Belt, where the proposal does not result in disproportionate additions over and above the size of the original building as it existed at 31 December 1968 for residential dwellings.
6. The Delegated Report from the Council shows that the house was granted permission in 1962 and that planning permissions to extend the house were granted in 1977 and 1997. The Council state that these permissions have been implemented and hence increased the size of the house over the original property. The Council further state that the proposals in this appeal would, cumulative to the previous permissions, lead to the extended house having a volume 126% over the volume of the original dwelling. The appellant does not dispute this planning history and the implementation of past works, and agrees with the numerical increase in volume.
 7. There is no numerical threshold in Policy DP13 regarding what might be considered a 'disproportionate' addition, nor is there any such figure in the Framework. However, the supporting text to Policy DP13 states that consideration will be paid to the size of the original building, the bulk, height, mass and prominence of the extension or alteration and the impact of the proposal on the openness of the Green Belt. The supporting text further says that the Council will calculate external volume rather than using an increase in floor area or footprint to guide this assessment.
 8. Based on this guidance in the supporting text regarding how to interpret Policy DP13, and following my own assessment on site, I concur with the Council that a 126% increase in volume over that of the original dwelling is substantial; the property would be more than double the volume, which by any yardstick is a very significant change when the objective of the Framework and the development plan is to avoid disproportionate additions to the original building. Furthermore, the scale, design and siting of the additions would clearly be seen as a substantial further addition to the house: there would be a large first floor extension with pitched roof above the flat roof garage, a new two storey gable at the front elevation, and additions to the rear. These would be extensions that appear disproportionate to the original house.
 9. These extensions would lead to a material reduction in the openness of the Green Belt by adding a substantial volume of building to the property. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open, and that the essential characteristics of Green Belts are their openness and permanence. The siting and scale of the proposed development would directly contravene this purpose and I attach significant weight to this harm to openness.
 10. It is thus concluded on the first issue that the size, position and scale of the proposed extensions would represent a clearly disproportionate addition to the original building, and lead to harm to the openness of the Green Belt. The proposal therefore represents inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the Framework and Policies DP10 and DP13 of the Local Plan. I attach substantial weight to this harm.

Other considerations

11. The Framework advises that 'very special circumstances' to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
12. I acknowledge that the design of the proposed extensions is, in itself, sensitive to the character and appearance of the host property and the wider area, which sees a diversity of housing type. However, this does not militate against the loss of openness that arises due to the size, position and scale of the proposed extensions.
13. The proposals would in part be over the existing footprint of the building. However, as noted earlier the supporting text to Policy DP13 states that volume is a key consideration in assessing the increase in size of a dwelling. I concur that a volume measure is important in assessing the impact on openness, which has led to the harm I have identified, and hence the different measurement that would arise from consideration of floorspace or footprint increase is of little weight.
14. The appellant has drawn my attention to extensions at other properties in the area and I saw these at my site visit. It is evident that houses have been extended in the vicinity. The extension at Rusper House led to an increase in volume over the original dwelling substantially less than would result in the current appeal, and the Council in that case considered no harm to the openness of the Green Belt. I have found that the proposals in the current appeal would be harmful to openness.
15. The case at Cransdon appears to pre-date the current Local Plan and to occur within a 'Green Belt settlement', with the Delegated Report showing no similar development plan policy basis to that existing in the current appeal. I have determined the current appeal on the basis of those policies that are relevant now, and so place little weight on the Cransdon case.
16. The Tanglewood case saw, as was determined on appeal, an extension to a house deemed to be 'original' when it was built in 2007. The Inspector considered that extension to be a small increase over the original house, and so the proposal was compliant with Policy DP13. As I have found the current appeal not to be compliant with that Policy, this decision does not alter my conclusions.
17. I note that permitted development rights allow for certain extensions to be undertaken to dwellings in the Green Belt, and that the appellant can indeed take advantage of some such rights. Notwithstanding any such rights I must assess this appeal on the basis of its consistency with the development plan, the Framework and other material considerations. I do not consider the matters raised in support of the proposals to clearly outweigh the substantial weight which must be attached to the harm to the Green Belt by reason of inappropriateness.

Conclusion

18. For the reasons given, the conflict with national and local planning policy means that the appeal fails.

C J Leigh

INSPECTOR