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## Appeal Decision

Site visit made on 6 April 2021 by Thomas Courtney BA(Hons) MA

**Decision by Martin Seaton BSc (Hons) DipTP MRTPI**

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

**Decision date: 18 May 2021**

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**Appeal Ref: APP/M3645/D/20/3263092**

**Chevington, Carlton Road, South Godstone, RH9 8LD**

- 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 Skinner against the decision of Tandridge District Council.
  - The application Ref TA/2020/1097, dated 24 June 2020, was refused by notice dated 25 August 2020.
  - The development proposed is extensions to existing house and associated changes to facades.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issues are:
  - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (NPPF) and development plan policy;
  - The effect of the proposal on the openness of the Green Belt; and
  - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

### Reasons for the Recommendation

*Whether the development would be inappropriate development*

4. Paragraph 145 of the NPPF states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One exception 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. Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies
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(the 'Local Plan') are broadly consistent with the NPPF in that they allow for proportionate alterations and extensions to buildings in the Green Belt.

5. The appeal dwelling is a detached single storey property. The Council has provided calculations of the volume increases over the original dwelling and states that the proposal would represent a 59.9% increase in volume. The appellant has not provided me with corresponding calculations. However, they consider the extensions would be proportionate and that the development plan does not refer to a defined way of assessing and measuring proportionality. Whilst the Council's officer report considers that extensions that amount to an increase in volume of 40% over the original dwelling result in disproportionate additions, Policies DP10 and DP13 of the Local Plan do not, indeed, refer to a particular figure to assess 'proportionality'.
6. Turning to national guidance on measuring 'proportionality', the NPPF refers to 'size'. This can, in my view, refer to volume, height, external dimensions, footprint, floorspace or visual perception. In this case, it is clear that the substantial increase in volume and height of the dwelling would result in considerably greater visual bulk. Although I accept there is a degree of subjectivity in this matter, I find that the scale of the extensions would subsume the original dwelling and would be disproportionate. Therefore, the Council's assessment based on volume was not unreasonable in this instance as it is considered that an increase in volume of nearly 60% represents a significant increase in size.
7. On the basis that the proposed extensions would result in disproportionate additions over and above the size of the original dwelling, I therefore find the proposal would be inappropriate development in the Green Belt and would conflict with Paragraph 145(c) of the NPPF, as detailed above, and policies DP10 and DP13 of the Local Plan, which together seek to resist inappropriate development in the Green Belt.

### *Openness*

8. Openness is identified in the NPPF as one of the Green Belt's essential characteristics. The increased volume and bulk as a result of the extensions would have an adverse effect on the openness of the Green Belt in a spatial sense. Furthermore, whilst the plot is large and the extensions are sympathetically designed, they would fail to appear as subordinate extensions. Indeed, the raising of the roof height on the western side of the house would be particularly conspicuous.
9. The increased height and bulk of the dwelling, plus the prominence of the dwelling in the street scene, means the proposal would also have a greater visual impact on the openness of the Green Belt when seen from Carlton Road and Eastbourne Road (A22) to the east. Whilst I note there are mature trees within the garden along the eastern boundary which offer a degree of screening and I acknowledge the appellant intends to erect a fence and new planting, the resultant dwelling would nonetheless be easily visible from the road given the large gaps between the trees and the substantial scale and height of the extension. The evidence submitted by the appellant also does not include a landscaping plan or an indication as to what degree of screening would exist along the eastern boundary adjacent to the A22. The spatial and visual impact on openness would result in moderate harm to the Green Belt.

### *Other considerations*

10. The NPPF states that inappropriate development should not be approved except in very special circumstances, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Substantial weight should be given to any harm to the Green Belt.
11. In this regard, the appellant opines that an achievable 'fall-back' position through the permitted development process should weigh in favour of the proposal. However, the proposed roof alterations and scale of the western double-storey gable would be considerably larger than what would appear to be feasible through the permitted development process. In the absence of any compelling evidence to the contrary, I have not attached any significant weight to this contention.
12. I recognise that a previous scheme was granted permission in 2007 (*ref 2007/1563*) and whilst I acknowledge there are similarities, the current proposal is clearly materially larger in scale and height than the previous approval. I do not regard the earlier proposal as therefore setting a defining precedent and lending any positive weight to the proposal.
13. My attention has been drawn to an appeal decision located in Seale, Surrey (*ref APP/Y3615/W/18/3202309*). However, whilst I have not been provided with the full detail and background to this case, it seemingly related to an infill extension between two existing rear projections that did not extend the built form of the dwelling beyond the envelope of the existing development which differs markedly from the circumstances of the proposal before me. The reference to that appeal decision does not therefore attract any significant weight in support of the proposal.
14. I have also had regard to the other developments in the vicinity referred to by the appellant, and whilst I am mindful that each proposal should be assessed on its own merits, these appear to be lower in height and in less visible locations, and furthermore I am also not able to fully assess their impact on openness.
15. I acknowledge the proposal would provide additional living space for the appellants and allow for home working however these positive attributes would attract only limited weight in support of the development. Additionally, I have noted the neighbour's letter of support although it does not alter my view of the scheme. I have also not been provided with evidence that the development would result in net environmental gains. The photovoltaic panels shown on the plans are already in place. The contended absence of harm to character and appearance by virtue of detailed design and to the living conditions of neighbouring occupiers, are matters which would neither weigh against or in support of the proposal.
16. The appellant has contended that the Local Plan is out of date due to its age since adoption and that the presumption in favour of sustainable development should be applied in accordance with paragraph 11(d) of the NPPF. However, irrespective of whether the Local Plan is assessed to be out of date or not, the provisions of footnote 6 to paragraph 11(d)(i) of the NPPF sets out that planning permission should be granted unless the application of policies in the

NPPF that protect areas or assets of particular importance, including Green Belts, provides a clear reason for refusing the development proposed. I have already concluded that the proposal would result in harm to the Green Belt and would conflict with the applicable paragraphs and policies from the NPPF, providing a clear reason for refusing the development proposed. As a result, the presumption in favour of sustainable development does not apply.

17. Although there would be some limited social and economic benefits associated with the proposal, the support they would provide to the local economy would be limited.

### **Planning Balance and Overall Conclusion**

18. I consider that the development causes harm to the Green Belt by way of its inappropriateness and to its openness, and substantial weight should be given to these harms. I conclude that cumulatively there are no other considerations that clearly outweigh the harms and therefore there are no very special circumstances to justify the development. Consequently, the development is contrary to the development plan taken as a whole, and in particular conflicts with Paragraph 145(c) of the NPPF and Policies DP10 and DP13 of the Local Plan which together aim to protect the Green Belt from inappropriate development.

### **Recommendation**

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Thomas Courtney*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Martin Seaton*

INSPECTOR