The Planning Inspectorate

Appeal Decision

Site visit made on 8 June 2021

by Mr C J Tivey BSc (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2021

Appeal Ref: APP/C3620/D/21/3269627
Beechwood, Dungates Lane, Buckland RH3 7BD

- 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 Daley against the decision of Mole Valley District Council.
- The application Ref MO/2020/2067/PLAH, dated 13 November 2020, was refused by notice dated 18 January 2021.
- The development proposed is for a single storey side extension and proposed side first floor dormer.

Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension and proposed side first floor dormer at Beechwood, Dungates Lane, Buckland RH3 7BD, in accordance with the terms of the application Ref. MO/2020/2067/PLAH, dated 13 November 2020, subject to the conditions set out below:

    1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2. The development hereby permitted shall be carried out in accordance with the following approved plans: PLN02, PLN03, PLN04, PLN05, PLN06, PLN07, PLN08, PLN09, PLN10, PLN11, PLN12, PLN13 & PLN14.

    3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:

    i) Whether the proposal would be inappropriate development in the Green Belt, having regard to the Development Plan and the National Planning Policy Framework (the 'Framework') and the effect of the proposal on the openness of the Green Belt; and

    ii) If the proposal would be inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

3. Policy RUD7 of the Mole Valley Local Plan (2000) (MVLP) states that in the countryside outside the boundaries of villages, proposals for the extension of dwellings will be permitted where they would not, amongst other things, result in a disproportionate addition over and above the size of the original dwelling. In support of this policy, the text that follows within the Local Plan states that in assessing whether a proposed extension is a disproportionate addition, account will be taken of the relative increase in floorspace, and also whether the proposal would be out of proportion with the original dwelling in terms of its form, bulk or prominence. The definition of original dwelling as set out within the Local Plan is the dwelling as it stood at the end of 1968 and proposals for extensions will be judged together with any extensions after that date.

4. I consider that this development plan policy context broadly supports paragraph 145. c) of the Framework which states that the construction of new buildings should be regarded as inappropriate in the Green Belt with the exception being an extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original.

5. Paragraph 143 of the Framework highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Consequently, within paragraph 144 the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 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.

6. I note that the Council highlight that the original dwelling has been extended a number of times, with first floor additions which have added bulk to the building. Nonetheless it has not been demonstrated as to specifically what those additions constituted or by how much they increased the size of the original dwelling. I accept that the proposal would give rise to the construction of a quite large area of flat roof, although having said that with a contemporary design it would in many ways act as a foil to the traditional architecture of the host dwelling, similar to the example at Buckland Lodge adjoining.

7. The Council state that the increase in floor space may not give rise to a disproportionate addition compared to the size of the original in mathematical terms. This indicates to me that purely in respect of an increase in floor space alone, a frequent measure of whether an extension would be proportionate or otherwise, the proposal would meet the test as set out within framework paragraph 145) c.

8. Pursuant to policy RUD7, the rearward siting and limited height of the proposal would render it as a subordinate addition to the host dwelling. Consequently notwithstanding the fact that it would contrast with the gable and pitched roof elements that currently exist on the appeal building, I consider that it would

not be out of proportion with the original dwelling in terms of its form, bulk or prominence.

9. Therefore I consider that the proposal would not amount to inappropriate development in the Green Belt, the impact on the openness of which would not be material. I find the proposal compliant with MVLP policy RUD7 as well as the Framework.

Very Special Circumstances

10. As I've found that the proposal would not be inappropriate development it is not necessary for me to identify whether there are any considerations that amount to very special circumstances necessary to justify the proposal.

Conclusion and Conditions

11. I find that the proposal would not result in a disproportionate addition over and above the size of the original building and therefore for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.

12. Other than the standard time limit condition the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that materials match the existing building. I consider that in the interests of the character and appearance of the area these conditions are necessary.

C J Tivey

INSPECTOR