
Appeal Decision

Site visit made on 20 July 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2021

Appeal Ref: APP/M3645/D/20/3263796
Tavira, Parkwood Road, Tatsfield TN16 2LT

- 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 Timothy Crowhurst against the decision of Tandridge District Council.
 - The application Ref. TA/2020/1318, dated 28 June 2020, was refused by notice dated 21 September 2020.
 - The development proposed is to knock down annexe workshop and conservatory and build a two storey extension with basement.
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Decision

1. The appeal is dismissed.

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 DP10 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (TLP) states that within the Green Belt, planning permission for any inappropriate development which is by definition harmful to the Green Belt, will normally be refused. It goes on to state that proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm. I consider that this policy context is broadly in line with paragraphs 147 and 148 of the Framework.

4. TLP Policy DP13 stipulates that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt, with the exception of, amongst other things, the extension or alteration of buildings, where the proposal does not result in disproportionate additions over and above the size of the original building as it existed on 31 December 1968 for residential dwellings, or if constructed after the relevant date, as it was built originally. This policy adheres to the general spirit of paragraph 149.c) of the Framework.
5. I note that the Council do not have a floor area or volumetric threshold for assessing what proposals constitute disproportionate additions or otherwise, however, the calculations as shown within the Officer report identify a total volume increase of more than 190% over the size of the original dwelling. Whilst the appellant points out that approximately 70sqm would be taken up by a below ground basement, nonetheless the Council's other figures are not disputed; and any volumetric increase in built form on the site would far exceed the cited notional 40%.
6. In addition to the above, by simply comparing the existing and proposed elevations of the dwelling at Tavira, there would be a substantial increase in bulk and massing and I fail to understand how it could reasonably be considered that the extensions would be proportionate.
7. I note that the Council do not raise objection to the principle of improving and extending the dwelling, and it is quite possible that there is a design solution out there that would enable the appellant to provide increased living accommodation for their family, but this is not it.
8. I conclude that the scheme would give rise to disproportionate additions over and above the size of the original building, and consequently, I consider that the proposal would amount to inappropriate development in the Green Belt contrary to the Framework and TLP Policies DP10 and DP13.

Other Considerations and Green Belt Balance

9. The Framework in paragraph 148 highlights that substantial weight should be given to any harm in the Green Belt and 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.
10. The appellant intimates that as a fall-back position they could demolish the existing house and put a new building of the same dimensions as that proposed before me as a replacement dwelling. However, such a proposal has not been subject to the submission of a planning application and I fail to see how one would reasonably come to a different conclusion, because the end result would be of a building materially larger than the one it would replace. Therefore I give this very little weight in the determination of this appeal.
11. A comparison has been made between the existing and proposed footprints, however impacts upon openness are not purely two dimensional and one cannot ignore the resultant three dimensional form that would stem from the proposal.

12. The fact that the Council have found that the proposal would not have a detrimental impact on the amenities of neighbouring properties is a neutral factor in the planning balance, as is compliance with non-green belt policies. However, I cannot agree with the Council that by virtue of its overall scale and bulk, the proposals would preserve or enhance the character and appearance of the area within which the site is located, that is notwithstanding that the size of the plot is such that it could physically accommodate a building of the scale proposed.
13. Quite clearly there would be some social benefits flowing from the proposal, in that it would allow the appellant greater living and home working space, however, I am not convinced that the current design is the only solution in order to achieve that. There would be some economic benefits to local builders and tradesmen during the build process, although such benefits would be short-term. Reference is made to materials of construction and replacement of outdated existing extensions being more environmentally friendly and reducing the carbon footprint of occupying the building, but no substantive information has been provided on this. Further, I note reference to the appeal decision within the Borough of Guildford, however ultimately each case must be assessed on its own merits.
14. I consider that the dwelling, as proposed to be extended, would be materially bulkier and over-scaled than the original building, and no very special circumstances have been advanced to clearly outweigh the harm to the Green Belt by reason of the inappropriateness of the proposal.

Conclusion

15. Having regard to the above and all other matters raised by the appellant, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR