



Appeal Decision

Site Visit made on 12 October 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 November 2021

Appeal Ref: APP/G5180/D/21/3277606

4 Leaves Green Crescent, Keston, BR2 6DN

- 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 Rebecca Clack against the decision of London Borough of Bromley.
 - The application Ref DC/21/01237/FULL6, dated 12 March 2021, was refused by notice dated 10 May 2021.
 - The development proposed is a Front Extension to the Garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in July 2021. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issues

3. The main issues raised in this case are:
 - Whether or not the proposal is inappropriate development in the Green Belt,
 - The effect of the proposal on the openness of the Green Belt, and
 - If the proposal is 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 the development.

Reasons

Whether or not the proposal is inappropriate development in the Green Belt

4. The appeal site is located within the Green Belt. The Framework, at paragraph 149, indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The extension of a building provided that it does not result in disproportionate additions over and above the size of the original building, is listed as one of the exceptions. Policy 51 of the Bromley Local Plan (2019) (the Local Plan) also sets out that extensions to dwellings in the Green Belt will only be permitted where, amongst other things, the net increase in floor area over that of the original dwelling is no more than 10%.

5. The appeal scheme proposes the addition of a small extension to the front of an integral garage, which the Council states would add 10.8m² of additional floorspace. However, it is also stated that previous extensions have been added to the ground floor of the property. When these previous extensions are considered with the small addition now proposed, the Council state it would amount to a 63% increase in floorspace over and above that of the original dwelling. The appellant has not sought to contest these figures. In my view, this increase cannot reasonably be considered to result in anything but a disproportionate addition over and above the size of the original building. It would also exceed the 10% allowance enshrined in local policy.
6. Consequently, the proposal conflicts with policy 51 of the Local Plan. Furthermore, in not complying with the exceptions as outlined by paragraph 145 of the Framework, the scheme would comprise inappropriate development in the Green Belt, which paragraph 147 states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Therefore, the scheme would conflict with the provisions of the Framework.

The effect of the proposal on the openness of the Green Belt

7. The Framework, at paragraph 137, indicates that openness and permanence are the essential characteristics of the Green Belt. The scheme would result in the small addition to an existing property. Whilst the extension is not, when considered in isolation, a vast extension, and when viewed would be seen within the context of the built form of the existing dwelling, it would nevertheless result in a slightly increased quantum of built development at the site, both in spatial and visual terms. Consequently, the scheme would not preserve, and there would be a small loss of, the openness of the Green Belt.

Other considerations

8. I note that the example of an identical development at a neighbouring property has been cited by the appellant. However, I have no information in respect of any other extensions that may have taken place at that property and as such I am not able to make a direct comparison in terms of the matter of disproportionate additions. In any event, I have judged the appeal scheme on its merits and found clear conflict with national policy in respect of the scheme being inappropriate development in the Green Belt.

Green Belt Balance and Conclusion

9. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. It would also lead to a loss of openness, albeit small. The other considerations that have been advanced in this case are not sufficient to clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would be contrary to the guidance of the Framework. It is also contrary to policy 51 of the Local Plan.
10. Therefore, for the reasons given and having regard to all matters raised, the appeal is dismissed.

Martin Allen

INSPECTOR

