
Appeal Decision

Site visit made on 15 February 2022

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2022

Appeal Ref: APP/M3645/D/21/3275936

North Lodge, Featherbed Lane, Warlingham CR6 9PL

- 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 Ioan Riscou against the decision of Tandridge District Council.
 - The application Ref TA/2020/2302, dated 19 February 2021, was refused by notice dated 27 April 2021.
 - The development proposed is Demolition of existing roof and porch and erection of new roof and porch. White render and stone cladding to replace existing facing bricks.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of existing roof and porch and erection of new roof and porch. White render and stone cladding to replace existing facing bricks, at North Lodge, Featherbed Lane, Warlingham CR6 9PL, in accordance with the terms of application ref: TA/2020/2302, dated 19 February 2021, and subject to the following conditions:
 - 1) The development hereby approved shall commence within three years of the date of this decision;
 - 2) The development hereby approved shall be carried out in accordance with the following drawing numbers: F9188/OS; F9188/03; and F9188/01 Proposed.

Main Issue

2. The main issue is whether the proposal represents inappropriate development in the Green Belt.

Reasons

3. The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
4. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate development in the Green Belt. However, an identified exception to this 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.

5. The appeal site is currently occupied by a detached dwelling. Based on the evidence before me, the building has already been extended in a significant manner, with a substantial increase in volume from the original building. The Council refer to a mathematical assessment whereby proposals for an increase in volume beyond 40% are likely to be deemed disproportionate. Cumulatively, the proposal would result in an enlargement that would exceed this percentage.
6. Despite this approach, the justification for Policy DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (LP) states that when determining what constitutes a 'disproportionate addition', the Council will adopt a pragmatic approach. It goes on to state that each proposal would be assessed on its own merits, taking into account the size of the original building, the bulk, height, mass and prominence of the extension, and the impact of the proposal on the openness of the Green Belt.
7. Unfortunately, very little analysis regarding these matters appears to have been undertaken by the Council. Reference has been made to the increased height of the roof, but the evidence also confirms that the proposal would not be visually intrusive.
8. The proposal would result in a minor remodelling of the bulk of the building. However, due to the size and mass of the existing structure, this would not result in a substantial change to its overall form. Accordingly, despite the calculations that have been provided by the Council, I find that the changes would primarily be cosmetic, rather than result in a meaningful increase in the bulk and mass of the structure.
9. The Council's concerns are understood, but I find that the case presented does not provide substantive or compelling evidence to demonstrate a disproportionate extension. Instead, I am satisfied that the proposed extensions would complement the existing structure in a manner that would not materially alter the bulk of the building. Consequently, I find that the extensions would not be disproportionate to the original building and would not harm the openness of the Green Belt.
10. Accordingly, I conclude that the proposal would not represent inappropriate development within the Green Belt. It would therefore comply with the Green Belt protection aims of the Framework, as well as Policies DP10 and DP13 of the LP, which taken together establish the local requirements for development within the Green Belt.

Conditions and Conclusion

11. In light of my findings set out above, conditions are necessary in the interests of precision and clarity to establish the time limit for the commencement of development as well as to list the approved drawing numbers.
12. Subject to these, the appeal should be allowed.

Martin Chandler

INSPECTOR