



Appeal Decision

Site visit made on 26 April 2022

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 25 May 2022

Appeal Ref: APP/D5120/W/21/3284708

Old Bexley Equestrian Training Centre, Stable Lane, Bexley, DA5 2AW

- 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 W Tucker against the decision of London Borough of Bexley.
 - The application Ref: 21/02130/FUL, dated 28 June 2021, was refused by notice dated 4 October 2021.
 - The development proposed is alterations and formation of a mansard roof with two dormer windows to provide rooms in roofspace.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have amended the description of development from that given on the application form as, the above description, which is given within the Council's decision notice, more accurately reflects the proposed development applied for.
3. The Council granted planning permission¹ for the conversion of a stables restroom and an adjoining small stable block into an L-shaped single-storey dwelling with a shallow pitched roof. The approved development is stated by the Council to have been constructed in accordance with the plans and drawings accompanying that application. The appellant has not disputed this matter. Albeit the approved dual pitched roof structure differs from the original barn structures, the Council advise that the roof was not noticeably greater in height or massing than the original building it replaced. I therefore take account of these matters and the building, as constructed, at the time of my site visit, in assessing the proposed scheme against a baseline position.

Main Issues

4. The main issues are:-
 - i) whether the proposed development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - ii) the effect on the openness of the Green Belt;
 - iii) the effect of the proposed development on the character and appearance of the area; and

¹ Planning Reference: 14/00141/FUL

- iv) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development

5. The appeal site is located within the Metropolitan Green Belt (GB). Paragraph 149 of the National Planning Policy Framework (the Framework) establishes that the construction of new buildings within the Green Belt is inappropriate save for certain categories of development which may be regarded as not inappropriate. These exceptions include, among others, 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.
6. The proposal would introduce a mansard roof structure together with a number of dormer windows. It would result in an increase to the ridge height by approximately 1 metre from a measurement of approximately 4.2 metres.
7. By reason of its box-like form, the proposed mansard roof structure would be considerably bulkier than the existing shallow and subservient dual pitched roof. These changes would be significant and would create the appearance of a two-storey dwelling, thus increasing the buildings' prominence in the GB. When comparing the height, volume, bulk and mass of the proposed scheme to the existing position, the proposed development would appear as a disproportionate addition to the building and clearly have a significantly greater impact on the openness of the GB and conflict with the purpose of including land within it.
8. In visual terms, the bulkiness of the increased built form of the roof structure would also reduce the openness of the GB. The appeal scheme would be readily visible from a number of public viewpoints given its prominent position adjacent to Vicarage Road.
9. Accordingly, for the reasons given above, I conclude that the proposed development would amount to inappropriate development in the GB. The proposal would conflict with Policy G2 of The London Plan (2021)(LP), Policy CS17 of the Bexley Core Strategy (2012)(CS) and Policy ENV4 of the Unitary Development Plan (2004)(UDP) insofar as these policies seek to protect the Metropolitan Green Belt from inappropriate development.

Openness

10. For the reasons given above, I find that the proposal would have a significant effect on openness such that it causes harm to the Green Belt and conflicts with the purposes for including land within it.
11. The Government attaches great importance to Green Belts, noting that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Framework establishes that substantial weight should be given to any harm to the Green Belt.

Character and appearance

12. The appeal site shares a boundary with Vicarage Lane where dwellings and buildings positioned along this route are varied in their type, form and style. Notwithstanding this variety, roof structures predominantly consist of a pitched roof type. There are also a number of examples of flat roof structures mainly associated with outbuildings and agricultural buildings. As a consequence, this uniformity of roof types provides a pleasant harmony and cohesion within the streetscene. Mansard roof structures are not a common feature within the area.
13. By reason of its design, scale and mass, the proposed mansard roof would introduce a bulky structure at odds with the established form of roof structures within the area. Given the significant size of the proposed roof, it would appear larger than the base of the dwelling, thus resulting in a top-heavy appearance and overall increasing the bulk and mass of the dwelling. Consequently, it would appear as a strident, bulky and discordant form of development that would be at odds with the existing built form within the area.
14. By reason of its prominent position next to the highway, there would be clear views towards the appeal site, including from longer distance views along Vicarage Road together with views from Stable Lane, views from within the wider appeal site itself and neighbouring dwellings. From these positions, it would be seen as an unduly dominant and incongruous feature within the streetscene.
15. Overall, I consider that the proposed development would fail to respect the established built form and cause harm to the character and appearance of the area. Thus, it would conflict with LP Policy D3, CS Policy CS01 and UDP Policies H8 and ENV39 insofar as these policies require a high-quality design that responds positively to local distinctiveness.
16. Reference is also made to a conflict with the Design Guidance of the UDP. However, no specific part of the UDP has been brought to my attention and thus any specific conflict with this design guidance is not clear to me. I therefore attribute this matter negligible weight in my overall consideration of this main issue.

Other considerations

17. The appeal scheme would provide a benefit to the local economy through the purchase of materials together with the potential for the creation of jobs during construction. However, such benefits would be temporary and modest in scale and therefore attract only negligible weight.

Other Matters

18. The appellant has drawn my attention to other developments that include a mansard roof structure. There is little substantive evidence relating to the particular circumstances of these developments and whether the circumstances are therefore comparable to the appeal proposal. As such, a comparison is of limited relevance in this instance. I have considered the appeal before me on its individual planning merits.

19. Reference has been made to the manner in which the Council conducted the application and a failure to work in a proactive manner. However, these issues are not matters for me to determine as part of this appeal.
20. The appeal proposal would enable the provision of improved accommodation to include a bedroom with ensuite bathroom together with storage within the roof space. However, personal circumstances can seldom outweigh general planning considerations and in this instance they do not outweigh the harm I have identified above.

Conclusion

21. The appeal scheme would be inappropriate development in the GB and there would be a consequent loss in the openness of the GB. The Framework establishes that substantial weight should be given to any harm to the GB and that inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances. Paragraph 148 of the Framework states that very special circumstances will not exist unless the potential harm to the GB, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
22. I find that the other considerations in this case do not clearly outweigh the harm to the GB by reason of inappropriateness, and other harm to the character and appearance of the area. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would be contrary to LP Policies G2 and D3, CS Policies CS17 and CS01 and UDP Policies ENV4, ENV39 and H8 of the development plan and it would conflict with the aims of the Framework. There are no material considerations of sufficient weight or importance that determine that a decision should be taken otherwise than in accordance with the development plan and therefore for the above reasons, I conclude that the appeal is dismissed.

E Brownless

INSPECTOR