
Appeal Decision

Site visit made on 27 June 2022

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2022

Appeal Ref: APP/L3625/D/21/3288820

The Beeches, 51, Wray Lane, Reigate, Surrey, RH2 0HX

- 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 Peter Jones against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/02114/HHOLD, dated 2 August 2021, was refused by notice dated 28 September 2021.
 - The development proposed is replacement of the existing garage flat roof with a hipped, tiled roof and new weatherboard cladding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised in respect of this appeal are: -
 - a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - b) The effect of the proposal on the openness of the Green Belt; and
 - c) Whether harm by reason of inappropriateness would be clearly outweighed by other considerations. If so, would those amount to the very special circumstances required to justify the proposal?

Reasons

Inappropriate development

3. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts being their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy CS3 of the Reigate and Banstead Core Strategy (the Core Strategy) 2014 states that "*Planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt*". Although adopted prior to the most recently revised Framework, Policy CS5 broadly aligns with the Framework.
4. Paragraph 149 of the Framework sets out those forms of development that would not be inappropriate development in the Green Belt. One of the

exceptions 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 (paragraph 149c)).

5. Policy NHE5 of the Reigate and Banstead Development Plan (the Development Plan) 2019 requires, amongst other matters, extensions, in combination with any other additions, not to be disproportionate compared to the original building (being that as originally built, or as existing on 1 July 1948, whichever is later) taking account of footprint and floor area created, as well as increased mass, bulk and height of the resultant building. The proposed pitched roofs would increase the mass, bulk and height of the existing garage and garden room.
6. The Council have looked at historic maps and previous planning permissions and determined that the 'original' building with garage is how it was in 1967. With regard to footprint, the garage was extended pursuant to a 1989 planning permission and a garden room has been added to the garage around 2014. The Council advise that this represents an approximate 153% increase on the original footprint and an approximate 160% increase in volume. The proposed roof would add a further approximate 76% increase to the volume. Taken collectively, the past additions along with that proposed would represent a cumulative increase of approximately 236% volume increase upon the original dwelling.
7. With regard to footprint, the proposal would not create additional floor area. In this respect the proposal would comply with Policy NHE5 of the Development Plan. The Framework does not specify what might constitute disproportionate additions. However, the proposal would significantly increase the volume compared to that of the original volume in 1967. The proposal, taken collectively with the previous increases at the property, would represent a disproportionate addition to this property and consequently would not comply with paragraph 149c) of the Framework.
8. In not complying with the exceptions, the proposal would be inappropriate development in the Green Belt, which paragraph 147 of the Framework states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I also find that the proposal does not comply with Policy CS3 of the Core Strategy and Policy NHE5 of the Development Plan.

Openness

9. Paragraph 137 of the Framework indicates that openness is one of the essential characteristics of Green Belts. The proposal would result in an increase in volume of the garage and garden room, and this would reduce openness by virtue of creating increased built development in the Green Belt. Whilst the effects would be limited, there would be a degree of harm arising from this development, in addition to that arising from the inappropriate nature of the development.
10. Consequently, I find that the proposal does not comply with paragraph 137 of the Framework as it would not preserve the openness of the Green Belt.
11. I acknowledge that the proposal has been amended significantly following pre-application advice provided by the Council, the details of which have been provided. There would be approximately 45% decrease in volume as a result

of primarily the removal of storage space within the roof as was presented within the pre-application proposal. Whilst this will have reduced the impact of the proposed development upon the openness of the Green Belt, this does not make the proposal before me more acceptable or justify inappropriate development in the Green Belt. I, therefore, attribute little weight to this pre-application submission in support of the proposal.

12. I have been directed to a planning permission granted by the Council in June 2005. That permission granted the erection of a pitched roof over a flat roof garage at Fairview, a property south-east of the appeal site also on Wray Lane. That proposal was granted some time ago and predated the Framework and the latest Development Plan. Nonetheless, I accept that the principles of conserving the openness of the Green Belt potentially had similar intention at that time. I also accept that development will have had an impact upon the openness of the Green Belt. However, the proposal before me represents a disproportionate addition in this case and it is not clear from the available evidence that this was a consideration pertaining to the proposal at Fairview. Therefore, I attribute little weight to that development in support of the proposal before me.

Other considerations

13. The proposed roof would create a more attractive roof form that would be more in keeping with the tiled and hipped roof forms of the main dwellinghouse. The overall form of the proposal would be in keeping with the pitched roof outbuildings in the vicinity. The Council's Conservation Officer offered no comments from a local distinctiveness viewpoint. In design terms the proposal would conform with Surrey vernacular and would not be harmful to the character and appearance of the area, noting that the appeal site falls within an Area of Outstanding Natural Beauty and Area of Great Landscape Value. Furthermore, no harm to trees in the area would take place as a result of the proposed development. However, the proposal would be required to be acceptable in these planning respects in their own right to make the proposal acceptable. These matters offer limited weight in support of the proposal.
14. The extension would ensure the longevity of the building going forward and would improve the living environment for the residents. These are personal benefits for the appellant and, as such, offer limited weight in support of the scheme.
15. Additional landscaping could be secured by imposing an appropriately worded planning condition. Whilst a willingness by the appellant to accept such a condition has been offered, it is not clear how landscaping might overcome the inappropriate nature of the development within the Green Belt. Furthermore, no objections were raised to the proposal from local residents or councillors. However, this does not make the development more acceptable in terms of its impact upon the Green Belt. These matters offer little weight in support of the proposal.

Conclusion

16. In conclusion, I have identified that the development would be inappropriate development in the Green Belt as defined by the Framework and would conflict with Policy CS3 of the Core Strategy and Policy NHE5 of the Development Plan. Furthermore, the proposal would not preserve the openness of the Green Belt

as required by the Framework. The proposed development would by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight. In contrast, the other considerations carry little or limited weight.

17. Having regard to all matters raised, I conclude that there are no considerations sufficient to clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development conflicts with the development plan and the advice in the Framework.
18. For the reasons given, I conclude that the appeal should fail.

Nicola Davies

INSPECTOR