



Appeal Decision

Site visit made on 27 September 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2022

Appeal Ref: APP/L5240/D/22/3301949

33 Woodplace Lane, Coulsdon CR5 1NE

- 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 and Mrs Marshall against the decision of London Borough of Croydon.
 - The application Ref 22/00767/HSE, dated 19 February 2022, was refused by notice dated 24 May 2022.
 - The development proposed is ground and first floor new rear extension; new side dormer to roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) whether or not 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;
 - (ii) the effect of the proposal on the openness of the Green Belt; and
 - (iii) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether or not inappropriate development in the Green Belt

3. No 33 Woodplace Lane is a two-storey semi-detached dwelling situated in the Green Belt. It sits within a row of similarly designed and scaled dwellings. No 33 and its immediate neighbours to this side of Woodplace Lane have long rear gardens which back on to the fields at Farthing Downs.
4. Policy G2 (London's Green Belt) of the London Plan (2021) (LP 2021) states that the Green Belt should be protected from inappropriate development. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt other than in a number of exceptions. One exception at Paragraph 149 c) 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. What constitutes a disproportionate addition is not defined within the Framework. Policy DM26 (Metropolitan Green Belt and Metropolitan Open Land) of the Croydon Local Plan (2018) (CLP) sets out that extensions to existing buildings in the Metropolitan Green Belt should not be more than 20% of their original floor space or volume, or 100m² (whichever is the smaller) unless they are for agricultural use, forestry, or facilities for outdoor sport, outdoor recreation or cemeteries. Without any alternative definition, the specific requirements of the development plan are particularly pertinent to my considerations.
6. The Council has calculated that the proposal would result in overall extensions to the dwelling equating to a 36% increase in floorspace over the original floorspace of the dwelling. This represents a significant increase over the maximum allowance under Policy DM26. The appellant has provided no detailed floorspace or volume calculations of their own to persuade me otherwise. In the circumstances, the extensions would be a disproportionate addition to the dwelling having regard to the specific limits for extensions to buildings in the Green Belt set out in the LP.
7. I conclude, the proposal would be inappropriate development in the Green Belt having regard to the requirements of Policy DM26 of the CLP, Policy G2 (London's Green Belt) of the LP 2021 and the Framework.

The effect on the openness of the Green Belt

8. Paragraph 137 of the Framework sets out the essential characteristics of Green Belts, which are their openness and permanence. It has been held in the High Court that openness is epitomised by the lack of buildings or development.
9. The appellant has confirmed that the proposals would increase the dwelling's footprint by 7.5m. There would be a further spatial impact by virtue of the increased volume both at ground and first floor level.
10. In views from the rear of neighbouring properties and the fields to the rear of the site, the extensions would be seen in the context of the similarly scaled extensions that exist to some of the neighbouring properties on Woodplace Lane. The increased bulk, particularly in terms of the first-floor extension and the side dormer, would also be appreciable in oblique views of the side elevation of the dwelling from the street.
11. Taken together, the spatial and visual impacts of the extension would have a modest effect on the openness of the Green Belt. In that regard, the extensions would not preserve the openness of the Green Belt, thereby conflicting with the aims of including land within the Green Belt when assessed against the Framework.

Other Considerations

12. The appellant has drawn my attention to other proposals and extensions to dwellings on Woodplace Lane. I am not aware of the full circumstances of the side extensions at Nos 3, 27, 29, 37 or 41 Woodplace Lane in terms of their size relative to the original floorspace of the respective dwellings or the development plan policies that may have been relevant in each case. The

appeal relating to the extensions at No 35 Woodplace Lane¹, was allowed prior to the adoption of the current development plan with its specific limits to extension to buildings in the Green Belt. Overall, the existence of these extensions does not justify allowing a proposal which, when considered against the current development plan requirements and alongside these other extensions in the Green Belt, would have the effect of eroding the openness of the Green Belt.

13. The proposal at No 25 Woodplace Lane² is subject of another appeal which I am also dealing with. That particular appeal will be determined on its own merits and has not been material to my conclusions on this appeal.
14. With regards to the design of the proposals, the Council did not refuse planning permission in respect of the effect of a development on the character and appearance of an area. From what I have seen, I find no reason to conclude differently. Even so, this is a separate issue to the Green Belt considerations.

Conclusion

15. The development constitutes inappropriate development in the Green Belt to which I attach substantial weight. The Framework states that inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. As part of the assessment, I have also found that the development would result in a modest effect on the openness of the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. This is a high hurdle for a development proposal to overcome. The other considerations put forward in favour of the proposal only carry very limited weight.
16. In conclusion and on balance, the substantial weight to be given to Green Belt harm, in addition to the other harm identified is not clearly outweighed by other considerations and therefore the very special circumstances needed to justify the proposed development do not exist.
17. For the reasons given the overall conclusion is therefore that the appeal should be dismissed.

M Russell

INSPECTOR

¹ Appeal ref APP/L5240/D/16/3153843

² Appeal ref APP/L5240/D/22/3300604 (LPA ref 22/00870/HSE)