



Appeal Decision

by **David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th December 2022

Appeal Ref: APP/T2215/D/22/3294267

3 Blackdale Farm Cottages, Green Street, Green Lane, Dartford, Kent, DA1 1NF.

- 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 S Copley against the decision of Dartford Borough Council.
 - The application Ref. DA/21/01650/FUL, dated 25 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is the erection of a two storey side extension, single storey rear extension and front porch.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I was unable to find the site on the information available at the visit scheduled for the 24 November 2022. However, I am satisfied that the written evidence on the appeal, including the site location plan submitted with the previous appeal D/4000878, is sufficient for me to assess the proposal and make a decision on the current appeal scheme.

Main Issues

3. The main issues are whether the extension proposed constitutes 'inappropriate development' in the Green Belt and harms its openness together with the character of the host building, and if so, whether this is outweighed by other factors which result in very special circumstances.

Reasons

Background

4. The appeal site comprises a semi-detached two storey house which lies in a group of two pairs of 'semis' and other farm buildings to the west of a cutting which contains the A282. The site generally lies in open countryside and forms part of the Metropolitan Green Belt. It is evident that the other 3 properties (No's 1, 2 and 4) have been much extended in the past from their original size – that is more than doubled in floor area judging by the extent of the appeal property in its original form.
5. A similar proposal was refused by the Council in 2019 and a subsequent appeal (as specified above) was dismissed. I have taken account of this decision and the appellant's hope that the current proposal overcomes the reasons for that decision where the Inspector concluded that the then proposed extension constituted inappropriate development in the Green Belt.

Whether inappropriate development

6. The National Planning Policy Framework indicates that the construction of new buildings in the Green Belt is inappropriate and should not be approved except in very special circumstances. The policy goes on to specify exceptions that should not be regarded as inappropriate and the clause relevant to this appeal 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." 'Original building' is defined in the glossary to the Framework as a building as it existed on the 1st July 1948 or if constructed after that date, as it was built originally.
7. The Dartford Development Policies Plan (adopted in 2017) (the LP) indicates in Policy DP22 that the Green Belt will be protected from inappropriate development and in relation to 'Extensions to Buildings' advises that these will only be permitted where the extension is proportionate and subservient in appearance but also would not result in a disproportionate addition to the original building, that is where it constitutes no more than a 30% volumetric increase.
8. The current appeal proposal would involve a reduction in the width of the proposed extension from 4.8m in the previous appeal scheme to 3.5m, however the length of the proposed extension at ground floor would increase from 2.72m to 5.7m so that it would be level with the end wall of the present attached WC. The Council accepts that the present additions to the property should be regarded as part of the original dwelling, but even so, the Council submits that the volumetric increase would be in the region of 65% from the size of the original dwelling.
9. What constitutes a disproportion addition under the Framework is not clarified and the assessment should not be overly mathematical in nature. The appellant says that the proposal is not a disproportionate addition because it is of a subordinate form and scale which retains the open and spacious aspects of the appeal site and maintains short and long range views of it. However these aspects relate more to the appearance of the extension, as per part 7(a) of Policy DP22 rather than the issue of whether disproportionate in 7(b).
10. It is clear to me that the overall size of extension proposed, at over a 60% increase, would be a disproportionate increase in the context of both paragraph 149 of the Framework and LP Policy DP22. As such the proposal constitutes inappropriate development in the Green Belt.

Effect on Openness and the appearance of the original dwelling

11. The effect on openness has to be assessed in terms of the spread of built development. At the moment the gap between No.3 and No.4 helps break up the visual impact of the built form of two pairs of semis but much of this gap would be eroded by the proposed additional width of the property and this would make the presence of buildings more prominent. Consequently the proposal would have a materially greater impact on the openness of the Green Belt
12. I recognise that the other three properties have been significantly extended and that is a positive factor in favour of the scheme. However, the Council asserts, and there is no other evidence before me, that these properties were

extended before the adoption of the LP and the Framework and therefore a different policy environment applied at that time. This limits the weight that can be given to the large extensions of these neighbouring properties.

13. In terms of the effect on the appearance of the original dwelling, although the extension proposed is relatively modest, the lack of 'set back' from the front elevation and the level roof ridge mean that it would be difficult to discern what remains of the original property if extended by the proposed addition. I find that the design and massing of the scheme is such that it fails to be subservient and proportionate to the original building. I agree with the appellant that the visual impact of the proposed work would not be prominent in long range views but the policy is concerned mainly with the local effect on the host building itself.
14. Overall I find that the proposed extension would have a material effect on the openness of the Green Belt and would harm the character and appearance of the original dwelling. The proposal would conflict with the policy in paragraph 149 of the Framework and LP Policy DP22.

Planning balance and conclusion

15. I have found that the proposal constitutes inappropriate development in the Green Belt and would harm its openness notwithstanding the additions that have previously been added to neighbouring properties. The design and massing of the proposed addition would also not be proportionate and subservient to the original; building. This results in a local harm and conflict with local and national policy and the proposal does not fall within the remit of sustainable development as set out in the Framework.
16. These factors have to be balanced with other considerations, but the Framework makes clear that substantial weight must be given to any harm to the Green Belt. I find that no other consideration put forward outweighs the adverse effects of the scheme. Very special circumstances therefore do not arise in this case.
17. For the reasons given above I conclude that the appeal should not be allowed.

David Murray

INSPECTOR