



Appeal Decision

Site visit made on 6 June 2023

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th June 2023

Appeal Ref: APP/T2215/D/22/3300569

Warwick House, Park Corner Road, Southfleet DA13 9LN

- 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 Diljit Brar against the decision of Dartford Borough Council.
 - The application Ref DA/22/00096/FUL, dated 27 January 2022, was refused by notice dated 28 March 2022.
 - The development proposed is 1 no. glass double height porch, existing garage to have new proposed windows, all new windows to the main house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - 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;
 - The effects of the proposal on the openness of the Green Belt;
 - The effects of the proposal on the character and appearance of the appeal property and area; and
 - 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 inappropriate development

3. The proposal would involve alterations to the appeal property including the addition of a double height porch. As set out at paragraph 149 of the Framework, new development within the Green Belt is generally regarded as inappropriate. However, the Framework provides certain exceptions that are not inappropriate, including 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.
4. Policy DP22 of the Dartford Development Policies Plan 2017 (DDPP) provides additional criteria for the extension of buildings in the Green Belt, including that the extension be proportionate and subservient in appearance and not exceed

a 30% volumetric increase over and above the original building, as it existed on 1 July 1948 or as first built thereafter. The Pre-Submission (Publication) Dartford Local Plan (LP) is currently being examined and the criteria proposed for extensions in the Green Belt proposed by emerging LP Policy M13 are aligned with those set out at Policy DP22.

5. The Council's delegated report indicates that Policy DP22's 30% volumetric increase limit has already been exceeded through construction of the single storey rear extension with balcony, granted planning permission in 2017¹.
6. The proposed porch would further increase the volume of the dwelling. Since the volumetric increase allowance has already been utilised by previous extension works, the proposal would result in disproportionate additions over and above the size of the original dwelling and would not comply with Policy DP22. The proposal would therefore be inappropriate development within the Green Belt, which paragraph 147 of the Framework states is harmful to the Green Belt and should not be approved except in very special circumstances.

Green Belt openness

7. Paragraph 137 of the Framework describes the essential characteristics of Green Belt being its openness and permanence and states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
8. The glazed design of the porch has sought to minimise the increase in volume and the visual impacts of the proposal. However, the proposed porch would increase the volume of the existing building and thus lead to a harmful loss of openness. Given the scale of the proposal the loss of openness would be limited in extent, but nonetheless weighs against the proposal.

Character and appearance

9. The appeal site is situated behind dwellings fronting onto Park Corner Road. The appeal property is a large dwelling, with garages on either side and an office building to the rear, set back within its large plot behind a front garden and long driveway. The front boundary is screened by dense trees and shrubs with glimpsed views of the appeal property from the street through the front gate.
10. The hip and valley tiled roof, dormer window, and chimney contribute visual interest to the roof line which, along with the render and brick finish to the exterior walls, gives the appeal property a traditional appearance. Conversely, the proposed porch would be of two-storey height, with a flat roof and glazed panels, of modern appearance out of keeping and unsympathetic to the character of the appeal property. Due to its two-storey height, the porch would appear dominant on the front elevation and disproportionate in scale to the massing of the building.
11. For the reasons set out above, the proposal would harm the character and appearance of the appeal property and area. Since the site is not visually prominent within the street scene, I attach modest weight to this harm.

¹ LPA Ref: 17/01578/FUL

12. The proposal would therefore conflict with DDPP Policies DP2 and DP7 which together require proposals to respond to, reinforce and enhance positive aspects of the locality, and avoid erosion of local character.
13. Whilst also relevant to matters of character and appearance, emerging LP Policies M1 and M11 seek to conserve local character and do not significantly change the approach of Policies DP2 and DP7. Therefore, the emerging LP does not indicate a different conclusion should be reached, and the precise weight which should be attached to the emerging policies is not a determinative factor in my consideration of this main issue

Other considerations

14. The proposal would be of benefit to its occupants through the extension and alteration of the appeal property. However, since these benefits are private in nature, they carry minimal weight in my decision.

Planning Balance and Conclusion

15. As set out above, the proposal would be inappropriate development in the Green Belt and would harm openness. Paragraph 147 of the Framework indicates that inappropriate development should not be approved except in very special circumstances, and paragraph 148 of the Framework instructs that substantial weight be given to any harm to the Green Belt.
16. As stated by paragraph 148, very special circumstances will not exist unless the potential harm to the Green Belt, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The extent of the proposal's benefits would be limited to its occupants, and thus carry minimal weight. Such other considerations do not therefore clearly outweigh the substantial harm to Green Belt openness and modest harm to character and appearance, and do not amount to very special circumstances. On this basis, the Framework indicates the appeal proposal should be refused.
17. For the reasons given above, having assessed the case against the development plan as a whole and having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

E Dade

INSPECTOR