



Appeal Decision

Site visit made on 1 April 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 10 April 2025

Appeal Ref: APP/M364/D/24/3356823

Foxlands Farm, West Park Road, Newchapel, Surrey RH7 6HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr William & Mrs Carole Shinn against the decision of Tandridge District Council.
 - The application Ref is TA/2024/803.
 - The development proposed is conversion and alteration of existing building to provide garage and storage space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the development would be inappropriate development within the Green Belt and its effect on openness,
 - The effect of the proposed development on the character and appearance of the local area, and
 - If the development would be inappropriate, whether the harm, by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

3. The appeal property is a detached single storey storage barn under a monopitch roof which forms part of a collection of buildings at Foxlands Farm on the south-east side of West Farm Road. The buildings are all sited along the boundary adjoining West Park Road, with open grounds extending to the south west and south of the buildings. The land slopes gently down away from the road. The site lies within the Green Belt.
4. The proposal is to extend vertically the existing building under a pitched roof to introduce storage space at first floor level with car parking underneath, with an

internal staircase. Changes to the fenestration would introduce a garage door and single door to the courtyard elevation and three rooflights above.

5. Paragraph 154 of the Framework sets out that the construction of new buildings in the Green Belt is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The term disproportionate is not further defined.
6. The Council has also referred to Policies DP10 and DP13 of its Tandridge Local Plan Part 2: Detailed Policies (2014 2019) (TLP Part 2) which broadly follows national policy in confirming the protection of the Green Belt from inappropriate development and setting out forms of development which would not be regarded as inappropriate development. This includes under E. the extension or alteration of an existing building, including ancillary buildings within the curtilage, providing it does not result in disproportionate additions over and above the size of the original building. The term 'disproportionate' is not further defined and the supporting text states that the Council will judge each proposal on its merits, but that as a general rule the Council will use a calculation of external volume as the measure of whether a proposal is mathematically disproportionate.
7. There are very different figures presented by the Appellant and the Council to compare the existing volume of the building compared with the proposed volume. The Council has calculated from the plans an existing volume of 148 m³ and that the first floor would add 80.6 m³ which it regards as a disproportionate increase. This compares with the Appellant's figures, indicating an existing volume of 230 m³ increasing to 292.65 m³. On the basis of the limited information before me, it is difficult reconcile these very different figures and to draw a clear finding on the potential volume increase.
8. Nonetheless, the proposed change to the roof form, including the significant increase in the ridge height would result in a much bulkier and more dominant building on the site that would be noticeably higher than the other buildings adjacent to it within the appeal site. Although serving as an ancillary building to the main dwelling and its annexe, it would be manifestly taller with a bulky roof form.
9. Taking all of these factors into account and having regard to both Policies DP10 and DP13 of the TLP Part 2 as well as the Framework, it is my view that the proposed development would be a disproportionate addition to the original building and would therefore be inappropriate development.
10. The additional bulk and massing of the proposed garage would also result in some, albeit limited, harm to the openness of the Green Belt, in both spatial and visual terms, through the introduction of additional built form.

Character and appearance

11. The character and appearance of the local area includes a number of scattered farmsteads, residential and commercial buildings interspersed with open farmland and woodland. There is a wide variety in the scale and siting of the buildings, whether residential or commercial on both sides of the road.
12. The existing building is seen from the roadside at the entrance to the site. It is very modest in its existing form and is set between two taller buildings. Although it would

become larger in form and would be more dominant and prominent in respect of and in the immediate context of the other buildings within the site, it would remain lower in height than the adjacent building to the north-east. Given the variety of buildings along both sides of West Park Road I do not consider that it would detract from the character and appearance of the local area, and as seen from West Park Road, comprising a variety of buildings set amongst farmland and woodland.

13. I am therefore satisfied that the proposal would not materially harm the character and appearance of the local area. There would be no conflict with Policy CSP18 of the Council's Core Strategy (2008), Policy DP7 of the TLP Part 2 as well as the Framework and in particular Sections 12 and 15, all of which amongst other matters seek a high quality of design which respects the local context, including the intrinsic beauty and character of the countryside.

Other Considerations

14. The Appellant has put forward that the height of the roof has been proposed to enable a stepping down of the heights in street scene views moving from north-east to south west. However, as indicated above there is considerable variety to the built form along West Park Road, in terms of its scale and siting. Whilst I have found that the proposal would not detract from the character and appearance of the wider locality, given the variety in the buildings along this road, I do not consider that the proposed stepping down in terms of roof heights would have any particular merit to the street scene, to enable me to give it support in this case.
15. I understand that the space would provide for both garaging and storage but there is no further evidence before me to demonstrate that this is essential to the site and could not be achieved in another way. I therefore do not give this more than very limited weight in support of the proposal.

Conclusion

16. Although I have not found harm to the character and appearance of the local area, the proposal would be inappropriate development within the Green Belt and would harm openness. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt and any other harm. Even taken together, the other considerations put forward provide little support for the scheme. Therefore, they do not outweigh the harm to the Green Belt and 'very special circumstances' do not exist. Therefore, the proposed extension would not accord with the development plan and there are no other material considerations to outweigh that finding.
17. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR