

Appeal Decision

Site visit made on 19 September 2016

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2016

Appeal Ref: APP/P1805/D/16/3157179

**Fox Haven, 248A Old Birmingham Road, Marlbrook, Worcestershire
B60 1NU**

- 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 Geoff Vale against the decision of Bromsgrove District Council.
 - The application Ref 16/0032, dated 18 January 2016, was refused by notice dated 25 May 2016.
 - The development proposed is a side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has raised concerns regarding the Council's handling of the case, and in particular delays in the process, and a lack of response following meetings. However, in determining the appeal I have only had regard to the planning merits of the case.

Main Issues

3. The main issues in the appeal are:
 - Whether or not the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (the Framework);
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property; and
 - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

4. Paragraphs 89 and 90 of the Framework set out the forms of development that are not inappropriate within the Green Belt. These include the extension or
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alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. Policy DS2 of the *Bromsgrove District Local Plan (adopted January 2004)* (BDLP) indicates that in the Green Belt permission will not be given, except in very special circumstances, for the construction of new buildings, unless it meets one of the specified criteria. These include the limited extension, alteration, or replacement of existing dwellings subject to the provisions of Policy S11 and S12. Policy S12 refers to replacement dwellings which is not applicable to this appeal, but Policy S11 indicates that a 'limited extension' is one that does not result in a disproportionate addition over and above the size of the original dwelling. Although these policies are of a certain age, they are broadly in accordance with the Framework, and I give them weight accordingly.
6. The Council have indicated that the floorspace of the existing dwelling is 197 m² and that the proposed extension would have a floorspace of 84.16 m². As such it is calculated that the proposal would represent a 42.72% increase. This is disputed by the appellant who indicates that the existing dwelling is 194.6 m², and that excluding the void under the first floor extension, the extension has a floorspace of 63.18m². As such the increase in floorspace is 32.5%.
7. Given these disputed figures, I have determined the appeal on the basis of the plans before me, and what I observed on my site visit. The proposed extension would be approximately half the width of the existing house, and its depth and height would both be less than the host property. As a result, its scale and mass would be such that it would appear subordinate to the main dwelling. Therefore, I consider that the extension would not represent a disproportionate addition to the property. As a result, I consider that the proposal would not be inappropriate development in the Green Belt. Consequently, the appeal scheme would not be contrary to the Framework, or to Policy DS2 of the BDLP.
8. I note that my conclusion in this regard is supported by the Inspector who dealt with a similar appeal¹ on the property in 2012.

Openness

9. Openness is an essential characteristic of the Green Belt. The proposed extension would increase the footprint of the dwelling, and the mass and the bulk of the property would be increased by additional built development. Whilst this would lead to a reduction in openness, the loss would be a small one. In deeming some forms of building in the Green Belt not inappropriate, the Framework allows for a reduction in the openness of the Green Belt in some circumstances. Given my finding above (that the proposal is not inappropriate) this is one of those circumstances. Therefore, I am satisfied that significant harm to the Green Belt would not be caused by the scheme.

Character and Appearance

10. The appeal property forms part of a barn that has been converted into residential properties, but which retains much of its agricultural character. Policy C27C of the BDLP states that where buildings of a traditional form and distinctive character have been converted, extensions will not be permitted

¹ Appeal Reference APP/P1805/D/12/2182927

where they would detract from the plain, simple and utilitarian appearance of the original building. Further advice on this is given in *Supplementary Planning Guidance Note 4 : Conversion of Rural Buildings (adopted January 2004)* (SPG).

11. The proposed extension would be located on the side of the building, and the upper floor in particular, would be clearly visible above the coniferous boundary hedge, on approaching along the access drive from the main road, that serves both this and the adjacent dwellings. The extension would be set back from the front and rear elevation of the main dwelling, and this, together with its modest scale and mass, would ensure that it appeared subservient to the principal building. However, in contrast to the clean and simple form of the original dwelling, the proposed extension, with dormers on both the front and rear roof plane, and an external staircase, on the prominent gable end leading to a door at the first floor, would appear complex and cluttered. Consequently, it would be an incongruous and unsympathetic addition to the building that would not respect its agricultural character and appearance.
12. Although, dormers windows are found on some of the other adjacent dwellings, they are not a feature of this property. Moreover, the design, position and scale of the proposed dormers would not reflect those found on the nearby dwellings. As such, they would appear out of character.
13. Overall, I consider that the proposed extension would have an adverse impact on the character and appearance of the host property. As a result it would be contrary to Policy C27C of the BDLP and the SPG.
14. I note that unlike the previous scheme, the proposal would use materials to match the existing dwelling, and would no longer incorporate a balcony to the rear. Whilst these changes may overcome some of the previous concerns, for the reasons outlined above, I consider the proposal would still detract from the simple form of the original building.

Other Matters

15. It has been suggested that the proposed laundry room and additional bedroom are required on medical grounds. However, no detailed evidence has been provided to support this. In any event, personal circumstances seldom outweigh more general planning considerations, and it is likely that the extended dwelling would remain long after the current personal circumstances cease to be material.

Conclusion

16. Overall, although I consider that the proposal would not be inappropriate development in the Green Belt, it would cause significant harm to the character and appearance of the host property. For this reason, I conclude that the appeal should be dismissed.

Alison Partington

INSPECTOR