
Appeal Decision

Site visit made on 11 October 2016

by Sarah Housden BA (Hons) BPI MRTPI

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

Decision date: 24 October 2016

Appeal Ref: APP/E2734/D/16/3153707

Sundowne, Forest Moor Road, Knaresborough, North Yorkshire HG5 8JY

- 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 & Mrs D Spink against the decision of Harrogate Borough Council.
 - The application Ref DCREFULZ 16/00968/FUL, dated 9 March 2016, was refused by notice dated 13 June 2016.
 - The development proposed is 'Part raising of existing roof pitch. Rear single storey extension to create store. Minor existing wall alterations. Replacing existing roof tiles and rendering of existing walls'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether or not the proposed development is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the policies in the development plan;
 - The effect of the proposed development on the openness of the Green Belt;
 - The effect on the character and appearance of the area; and
 - If the development is inappropriate, whether the harm arising from inappropriateness and any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Procedural Matters

3. A previous appeal decision dismissed a proposal for the conversion of the property's loft space to habitable accommodation¹. As the detailed plans for that scheme are not in the evidence before me, I have not attributed significant weight to the decision in the determination of this appeal. My decision is based on the circumstances of the site and the details of the scheme before me.

¹ Appeal Ref APP/E2734/D/12/2179730

4. There are discrepancies in the drawings. The existing rear elevation on Drawing No EX001 and the proposed south-west and north-west elevations on Drawing No 103 show a gable end facing the common boundary with 'Gate Cottage'. As this does not exist on the property at present, I have assessed the scheme based on the proposed south-east and north-east elevations and roof plans which show the correct roof detail. Furthermore, the ridge height of the rear projecting gable above the dining room and snug is incorrectly shown on the proposed north-west elevation on Drawing No 103 and I have assessed it on the basis that it would be the same ridge height as the main roof as shown on the proposed south-west elevation.

Reasons

5. The appeal property is a detached bungalow located within the settlement of Calcutt which lies between Knaresborough and Harrogate and is washed over by the Green Belt. The surrounding area is predominantly residential and comprises two and single storey properties some of which are set back from the main road and accessed by private drives. The individual dwelling designs and generous plot sizes create a varied and spacious street scene which is interspersed with undeveloped gaps allowing views over open countryside and contributing to the semi-rural character and appearance of the area.
6. Although the appeal property is set back from the road within a large plot, it is located between a commercial garden centre and associated car park and an adjoining dwelling 'Gate Cottage' which occupies a forward position on the back edge of the pavement. Two residential properties which are accessed by private drives to either side of the appeal property can be glimpsed from the main road.

Whether or not the proposal is inappropriate development in the Green Belt

7. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 of the Framework indicates that the construction of new buildings in the Green Belt should be regarded as inappropriate but states some exceptions. These include 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.
8. The Framework does not set out a definition of a 'disproportionate' addition but 'original' is defined as 'a building as it existed on 1 July 1948 or, if constructed after that date, as it was built originally'. The evidence before me indicates that the appeal property was originally an agricultural workers dwelling which has been progressively altered and extended. The current proposals would add approximately 20 square metres of floorspace and 174 cubic metres of roof volume to the existing dwelling.
9. Taken in combination with previous extensions, there would be an increase in floorspace of more than 100% together with an increase in volume. Whilst I acknowledge that the property is within a large plot, the additions would not be subordinate to the size of the original dwelling and would represent a disproportionate addition to it.
10. Saved Policy H15 of the Harrogate District Local Plan (2001) (LP) and related 'House Extensions and Garages Design Guide' indicate that "in Green Belts,

house extensions that extend the ground floor area of the original house by more than 50% will not normally be permitted unless there is an exceptional household need". No such need has been presented in this case. The proposal would therefore be contrary to LP Policy H15 and there would be further conflict with Policy SG3 of the Harrogate District Local Development Framework Core Strategy (2009) (CS) which strictly controls development in the countryside and Green Belt.

11. The proposal constitutes inappropriate development in the Green Belt, which would be contrary to the Framework and is, by definition, harmful. This matter together with the conflict with the policies in the development plan attracts substantial weight against the development.

Effect on openness

12. Paragraph 79 of the Framework advises that the essential characteristics of Green Belts are their openness and permanence. The alterations to the roof would result in a steeper roof pitch and an increase in the ridge height of the front 'L' shaped section of the dwelling by approximately 1 metre whilst retaining the existing eaves height. The bedroom and porch alterations would enclose areas under the existing roof and the proposed store would follow the proportions of the existing garage, extending approximately 2.5 metres into the large rear garden. Having regard to the scale of the proposals and the position of the property between and forward of existing development, I conclude that the harm to the Green Belt arising from loss of openness would be limited.

Effect on character and appearance

13. The Harrogate Landscape Character Assessment indicates that that the undeveloped gaps on Forest Moor Lane are important in stopping the coalescence of Harrogate and Knaresborough and that the area is sensitive to development which encroaches into the countryside. The Council considers that the mass and bulk of the extensions and roof lift would have a detrimental impact on the character of the landscape in the area.
14. However, due to the location of the appeal property within existing development, the proposals would not encroach into the undeveloped gaps which contribute to the separation between the built up areas of the towns and would not be harmful to the wider landscape. Whilst I acknowledge that incremental changes have resulted a more intensively developed character along Forest Moor Road, in this case the space and mature planting around the dwelling would be retained and the proposals would not be harmful to the spacious and semi-rural character of the surrounding area or the visual amenities of the Green Belt.
15. For these reasons, I conclude that the proposal would not be contrary to LP Policies C2 and H15 nor to CS Policies SG3, SG4 and EQ2 which seek to protect the character and appearance of the surrounding area and the wider landscape.

Other considerations

16. The Framework advises that 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.

17. The replacement of the existing concrete profiled tiles with plain tiles would improve the appearance of the roof. However, as this could be achieved as a repair without altering the roof pitch and height I attach no weight to this as a benefit of the proposal. The absence of harm to the living conditions of adjoining occupiers is a neutral factor which weighs neither for nor against the proposal.
18. The existing shallow roof pitch creates a horizontal emphasis and a wide, shallow gable on the front elevation and the steepened roof pitch would create a better proportioned dwelling which would be in keeping with surrounding development. I attach moderate weight to this as a benefit of the scheme.
19. The first reason for refusal indicates that the proposals would be tantamount to a new dwelling and capable of sub-division to two dwellings. This is disputed by the appellant. Having regard to the floor layout of the dwelling and the likely difficulties in providing satisfactory private outdoor space, I conclude that this would be unlikely and a further grant of planning permission would be required in any case. Accordingly, there would be no conflict with LP Policy H15 in this regard and this matter does not add to the harm already identified.

Conclusion

20. The Framework is clear that substantial weight must be given to any harm to the Green Belt. Whilst the harm arising from loss of openness would be limited, the harm arising from inappropriateness together with the conflict with the development plan attracts substantial weight against the development.
21. Against this, the other considerations in favour of the proposal, including the improvement to the appearance of the dwelling would not clearly outweigh the harm arising from inappropriateness. Consequently, the very special circumstances necessary to justify the development do not exist and I conclude that the appeal should be dismissed.

Sarah Housden

INSPECTOR