
Appeal Decision

Site visit made on 11 October 2016

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: 01 November 2016

Appeal Ref: APP/P1805/D/16/3156740

Croppings Green Cottage, Dordale Road, Belbroughton, Bromsgrove, Worcestershire DY9 0AJ

- 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 David Webb against the decision of Bromsgrove District Council.
 - The application Ref 15/0890, dated 14 September 2015, was refused by notice dated 5 May 2016.
 - The development proposed is demolition of single storey kitchen, external single garage and greenhouse and erection of 2 storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development would constitute inappropriate development in the Green Belt having regard to the development plan and the National Planning Policy Framework (the Framework);
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the host building and the surrounding area;
 - If the development would be 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 the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. Apart from certain clearly defined exceptions set out in paragraph 89 of the Framework the construction of new buildings in the Green Belt is to be regarded as inappropriate development. Such development is harmful by definition and should not be approved except in very special circumstances. There are however a number of exceptions to this, as set out in paragraph 89 of the Framework, including the extension or alteration of a building, provided that it does not result in a disproportionate addition over and above the size of the original building.
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4. Policy DS2 of the Bromsgrove District Local Plan 2004 (LP) identifies that the limited extension and alteration of existing dwellings is one of the exceptions to Green Belt restraint. Paragraph 211 of the Framework states that for the purposes of decision taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Although based on previous national policy, LP Policy DS2 essentially takes a similar approach to the Framework but it refers to 'existing dwellings' as opposed to 'existing buildings'. Under paragraph 215 of the Framework moderate weight is given to LP Policy DS2 in respect of its degree of consistency with the Framework.
5. LP Policy DS13 sets out matters that will be taken into account when considering development proposals, including the protection of the Plan area's essential character and environmental assets, including the Green Belt. LP Policy S11 requires extensions to dwellings within the Green Belt to, amongst other matters, respect the scale and character of the existing dwelling, and be of a size that would not be disproportionate to that of the original dwelling. Further guidance in respect of this matter is contained within the Council's adopted Supplementary Planning Guidance 'Extensions to Dwellings in the Green Belt' SPG7 (SPG). LP Policies DS13 and S11 are broadly consistent with the Framework and as such I give them substantial weight.
6. There is no definition of 'disproportionate additions' or 'extension' within the Framework. Annex 2 of the Framework defines an "original building" as a building as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally. The SPG states that proportionate additions include a maximum extension of up to 40% of the original dwelling or a maximum total floor space of up to 140 square metres. It further states that extensions over this size will normally be regarded as disproportionate additions.
7. The SPG states that existing curtilage buildings located within 5 metres from the original dwelling house will be treated as forming part of the dwelling for the purposes of calculating the floor space.
8. The appellant submits that in 1948 there was a single storey extension attached to the dwelling that dates from the late 19th Century. The submitted photograph and plan from a 1960's application for a larger extension provide evidence in support of this. As such it is reasonable to conclude that the original building on 1 July 1948 included the single storey extension. The appellant has supplied volume calculations rather than floor space in relation to the size of the existing and proposed extensions.
9. The appellant also submits that a detached greenhouse and garage should be treated as part of the original dwelling. Although I have not been provided with measurements of the distance these structures are from the house, I was able to observe on my site visit that they appear to be within 5 metres of the host property. However, whilst the photographic evidence illustrates that the greenhouse may have pre-dated 1948 the main structure has collapsed and at the time of my site visit was overgrown with vegetation. The only part of the structure that appears to remain is the low brick wall around the base. Consequently, it is not an existing curtilage building and I have not taken the volume of it into account.
10. The garage is extant but I have little evidence, other than the appellant's statement that it dates from the 1940's, before me as to its date of construction. Moreover, it does not appear to be shown on the plan for the

1960's application. As such I am unable to take into account the volume of the garage as I have insufficient evidence before me to show that it was constructed before 1948.

11. Taking into account all of the above the volume of the original building is about 357 cubic metres¹. The volume of the proposed extensions and the original house is about 580 cubic metres². By my calculation this represents an increase in size of around 60%. I conclude that the proposal would therefore be a disproportionate addition over and above the size of the original dwelling. The increase would exceed the 40% set out in the SPG which is a material consideration. Consequently the proposal would be inappropriate development and not in accordance with LP Policies DS2, DS13 and S11, the guidance in the SPG and the Framework.

Effect on openness of the Green Belt

12. The Framework advises at paragraph 79 that openness is an essential characteristic of Green Belts. The proposal would involve the demolition of a large single storey extension and a detached garage. The footprint of the proposed extension would be similar to that of the existing extension and the ridge height would be below that of the dwelling. However, it would be a substantial and bulky structure that would increase the size of the host dwelling and inevitably reduce the openness of the Green Belt, resulting in harm to one of the Green Belt's essential characteristics.

Character and appearance

13. The appeal property is a 1.5 storey house which is attached to another dwelling, Mereside and is located on a large plot with open farmland surrounding it. The design and size of the house reflect the prevailing generally traditional, cottage style of development which is in keeping with the vernacular architecture of the surrounding area.
14. The existing extension is a very shallow pitched roof structure which wraps around the one side and rear elevation at ground floor level. The extension is substantial in depth and length and the depth significantly exceeds that of the dwelling. Consequently, the existing extension dominates the appearance of the house when viewed from the side. The appeal proposal would result in a modest reduction in the length whereas the depth would be similar to that of the existing extension.
15. The proposal would remove the unsympathetic shallow pitch roofs of the extension. However, the proposed gable feature would significantly project forward of the front elevation of the dwelling. I acknowledge that the ridge height of the extension would be below that of the dwelling. I also note that the proposed pitch roof that would run parallel to the roof of the existing house would be of similar height and mass if the roof space of the existing extension was utilised. However, the front gable would be 1.5 storeys in height and would be prominent. Moreover, the size and design of the extension is such that it would be unduly large and would not appear subordinate to the original dwelling. Consequently, it would not respect the scale and character of the existing dwelling.

¹ Taken from appellant's volume calculation

² Taken from appellant's volume calculation

16. Despite the use of sympathetic materials and its set-back from the road, the proposal would be seen from Dordale Road when approaching the site from the Hockley Brook Lane direction. Whilst reasonably localised in its extent, the effect of the scheme would be to diminish unacceptably the character and appearance of the host building with consequent harm to the character and appearance of the surrounding area. As such the proposal would conflict with LP Policy S11.

Other considerations

17. The appellant has stated that the proposal will enhance the value of the visual amenity in the Green Belt by tidying the garden of the site, refurbishing the existing semi-derelict dwelling and removing the incongruous extension. However, whilst the proposal would refurbish the existing dwelling and tidy the existing garden I have found that the proposal would harm the character and appearance of the area. As such I consider that there would be at best, a neutral impact, on the overall visual amenity in the Green Belt in the vicinity of the site.
18. The appellant has referred to extensions of well over 100% increase in size being recently approved within Bromsgrove. He has also referred to the raised roof, enlarged garage and extension at the adjoining property, Mereside. However, I do not have the full details of these extensions before me to establish whether they form a direct comparison to the appeal proposal. As such they have only limited weight. In any case, I am required to determine the appeal on its own merits.
19. There is reference to a possible fallback position because a structure of similar or larger size could be constructed elsewhere within the curtilage under permitted development rights. However, in the absence of any detailed information upon this issue it has limited weight.

Conclusion

20. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I have found that there would be a degree of harm to the openness of the Green Belt. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
21. For the reasons given above, I find that the totality of the other considerations do not clearly outweigh the Green Belt harm and the other harm to the character and appearance of the area. As a result there is conflict with LP Policies DS2, DS13 and S11, the guidance in the SPG and the Framework as a whole. Consequently, the very special circumstances necessary to justify the development do not exist.
22. Having had regard to all other matters raised, it is concluded that the appeal should be dismissed.

D. Boffin

INSPECTOR