
Appeal Decision

Site visit made on 10 November 2016

by B Bowker Mplan MRTPI

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

Decision date: 1 December 2016

Appeal Ref: APP/P1805/D/16/3158623

Apple Cottage, Dordale Road, Worcestershire, Bournheath DY9 0BA

- 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 G Davies against the decision of Bromsgrove District Council.
 - The application Ref 16/0705, dated 12 July 2016, was refused by notice dated 24 August 2016.
 - The development proposed is demolition of annex and erection of a two storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues 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 effect on the openness of the Green Belt;
 - The effect on the character and appearance of the existing dwelling and surrounding area; and,
 - If the development is inappropriate, 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 inappropriate development

3. The appeal site is a detached dwelling accessed via a long private drive from Dordale Road. The site is located in the Green Belt and, although there are dwellings immediately to its north and south, the site lies in open countryside. Saved Bromsgrove District Local Plan (LP) Policy DS2 states permission for development in the Green Belt will not be permitted but does list a number of exceptions. Of relevance is an exception for proposals that involve a limited extension and alteration of an existing dwelling. Saved LP Policy S11 states
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that proposals should not result in a disproportionate addition over and above the size of the original dwelling.

4. Supplementary Planning Guidance 7 (SPG) outlines that a proportionate extension may be a maximum of up to 40% of the original dwellinghouse. Whilst the Framework at paragraph 89 does not quantify what comprises a disproportionate addition, LP Policies DS2 and S11 are broadly consistent with its Green Belt requirements. In addition, the SPG's definition of the original dwellinghouse accords with the definition at annex 2 of the Framework.
5. The Council highlight that the sections of building to be replaced are not part of the original dwelling, and this is not contested by the appellants. The proposal would provide a more compact design and reduce the footprint of the existing dwelling as extended. However, based on the Council's calculations, the proposal would result in an approximate floor space increase of 80% in the context of the original dwellinghouse.
6. Therefore, based on the Council's calculations and the additional volume created, the proposal would be a disproportionate addition over and above the size of the original dwellinghouse. Consequently, the proposal would be inappropriate development having regard to the Framework and relevant development plan policies.

Green Belt Openness

7. Paragraph 79 of the Framework identifies openness as an essential characteristic of the Green Belt. It is unavoidable that the proposal would increase the bulk and volume of the dwelling and thus result in some loss of Green Belt openness. That said the scale of the development, affecting a single dwelling, is modest and the impact is not readily perceived because of the discrete siting of the dwelling. As a result the level of harm to openness is limited.

Character and appearance

8. The proposal would replace an unsympathetic single storey extension and annex with a more sympathetic design. As the proposal would be screened by trees and hedgerow and located away from public vantage points, it would not have a harmful effect on the character and appearance of the surrounding area. The visual improvement to the dwelling lends support in favour of the appeal.

Other considerations

9. The proposal would help meet the needs of a growing family who have been unable to identify an alternative suitable property. Also the proposal would not have a harmful effect on the character and appearance of the surrounding area and would visually enhance the existing dwelling. These matters carry moderate weight in favour of the appeal.
10. The proposal would be inappropriate development which by definition is harmful to the Green Belt. There would be some limited effect on openness. The Framework establishes that substantial weight should be given to any Green Belt harm.

11. Combined, the proposal's associated moderate benefits would not clearly outweigh the totality of Green Belt harm identified which is the test that they have to meet. Consequently, the very special circumstances necessary to justify the development do not exist and the proposal would conflict with the Framework and LP Policies DS2 and S11.
12. For the reasons given above, and having taken all matters raised into account, I conclude that the appeal should be dismissed.

B Bowker

INSPECTOR