
Appeal Decision

Site visit made on 16 January 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 1 February 2017

Appeal Ref: APP/P0240/D/16/3164175

Erin House, 171 Dunstable Road, Caddington, Luton, Bedfordshire LU1 4AN

- 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 R Gill against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/01453/FULL was refused by notice dated 9 September 2016.
 - The development proposed is the part demolition and lowering of roof of existing annexe to create double garage.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider the main issues to be whether the proposal amounts to inappropriate development in the Green Belt, and if so, 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

3. The National Planning Policy Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.
 4. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is where the extension or alteration of a building does not result in disproportionate additions over and above the size of the original building.
 5. Saved Policy H13 in the South Bedfordshire Local Plan Policy Review (2004) is broadly in accordance with the Green Belt aim and purposes in the Framework. Whilst saved Policy H13 does not identify specific numerical thresholds for extensions in the Green Belt, The Central Bedfordshire Design Guide (2014) refers to a guiding principle to not add to the original building by more than 60%. In addition, it states that the impact of an extension in terms of floorspace, volume, massing and design is to be considered. I have contributed considerable weight to this guidance in my determination of this appeal.
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6. The proposal includes the part demolition of an existing building which does not have the benefit of planning permission. In this respect, I have been referred to Appeal Decision Ref: APP/P0240/C/13/2206050. Therefore, I have not taken into consideration the size of, or the existence of this existing unauthorised building in the following calculations or in my consideration of the proposal before me. In that Appeal Decision, it was considered that the garage/annexe should be considered as an extension, due to the close proximity to the existing dwelling. I see no reason to differ from that view and have approached my decision accordingly.
7. The proposal would significantly increase the width of the building and both main parties agree that the cumulative increase in footprint over that of the original building from previous extensions and the proposal would be 111%. This cumulative increase is clearly significantly greater than the 60% stated in Design Guidance.
8. The appellant has provided floorspace calculations, which conclude that the cumulative increase in floorspace with the proposed garage would be 88%. Again, this cumulative increase is clearly significantly greater than the 60% stated in Design Guidance.
9. In accordance with the Design Guidance, I consider it necessary to consider the volume, massing and design of the cumulative additions as well as calculations of footprint and floorspace. Given the significant increases in both footprint and floorspace, together with the significant increase in width of the frontage, the bulk of the proposal and the design, I consider that the cumulative additions would amount to disproportionate additions to the original dwelling. Therefore, I consider the proposal would be inappropriate development, which the Framework states is, by definition, harmful to the Green Belt.
10. Added to the harm of being inappropriate development it is necessary to consider the impact that the proposal may have in diminishing the sense of openness of this part of the Green Belt and any other harm.
11. In my opinion, due to the cumulative additions to the original building and siting of the proposed garage, the sense of openness in this part of the Green Belt would be significantly further eroded by the proposal. Therefore, not only would the proposal constitute inappropriate development, there would be substantial additional harm with respect to the openness of the Green Belt.

Other Considerations

12. The appeal site lies within a prominent rural location surrounded by open fields. The proposed garage would be visible from public view in Dunstable Road. Due to its scale, design and position, it would introduce further built form, further urbanising the appeal site and significantly detracting from the openness of this part of the countryside. In my opinion, this would have an adverse effect on the character and appearance of the surrounding countryside. Thus, the proposal would be contrary to Saved Local Plan Policy BE8 where it seeks to ensure that new development harmonises with the local surroundings and enhances or reinforces the character and local distinctiveness of the area. I have attributed moderate weight to this matter in my determination of this appeal.
13. I note that planning permission was granted in 2007 for a smaller garage on the appeal site, Ref SB/TP/07/0022/FULL. This is a material consideration.

Nevertheless, I consider that the proposal before me is significantly greater in terms of bulk, width, footprint and floorspace. Therefore, I have attributed limited weight to this matter in my determination of this appeal.

14. I appreciate that had there not been a condition removing Permitted Development Rights a garage could be constructed under permitted development rights and I note that the appellant has stated that it is normal for a private dwelling of this character to have a reasonable garage facility. I have attributed limited weight to these matters in my determination of this appeal. There is ample on-site parking currently available for a property of this size and I see no prerequisite that the dwelling should have a garage.

Conclusion

15. In reaching my conclusion, I have had regard to all matters raised. It is necessary to determine whether there are other considerations which clearly outweigh the substantial harm to the Green Belt, hereby justifying the development on the basis of very special circumstances. For the reasons stated above, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. There are no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt. The proposal would be contrary to policy in the Framework; saved Local Plan Policies GBC1, H13 and ENV5; and guidance in the Central Bedfordshire Design Guide.

J L Cheesley

INSPECTOR