

Appeal Decision

Site visit made on 31 January 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/K0425/D/16/3164779

Askett Farm, Askett Village Lane, Askett HP27 9LT

- 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 and Mrs Stuart and Louise Thompson against the decision of Wycombe District Council.
 - The application Ref 16/07088/FUL, dated 27 July 2016, was refused by notice dated 20 October 2016.
 - The development proposed is for the removal of a previous single storey rear extension and construction of new rear extension with kitchen/living area at ground floor and double height dining area/loft room in roof space and single storey boot room/utility area. Creation of two new dormer windows and opening up of infill panels to rear. Creation of new entrance door and new porch to front. Removal of internal secondary staircase. Single storey rear glass link between proposed extension and existing hall.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of a previous single storey rear extension and construction of new rear extension with kitchen/living area at ground floor and double height dining area/loft room in roof space and single storey boot room/utility area. Creation of two new dormer windows and opening up of infill panels to rear. Creation of new entrance door and new porch to front. Removal of internal secondary staircase. Single storey rear glass link between proposed extension and existing hall at Askett Farm, Askett Village Lane, Askett HP27 9LT in accordance with the terms of the application Ref 16/07088/FUL, dated 27 July 2016, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Site Location Plan, DWG 1A, DWG 2A, DWG 3A and DWG 4A.
 3. The materials to be used for the external surfaces of the extensions hereby permitted, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, or as annotated on the drawings hereby approved.

Main Issues

2. The main issues in this case are:

- i. Whether the proposal would be inappropriate development in the Green Belt, having regard to the Development Plan and National Planning Policy Framework (the 'Framework'); and the effect of the proposal on the openness of the Green Belt;
- ii. The effect of the proposal on the character of the Chilterns Area of Outstanding Natural Beauty (AONB); and
- iii. If the proposal 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 it.

Reasons

Whether Inappropriate Development and effect upon openness

3. Policy CS9 of the Wycombe Development Framework Adopted Core Strategy Development Plan Document (2008) (DPD) states that the Green Belt will be protected from inappropriate development as defined in Government policy. In addition, Policy GB2 of the Wycombe District Local Plan to 2011 (LP) states that within the Green Belt, development will not be permitted unless there are very special circumstances, and apart for a number of listed purposes. There is no explicit reference to the extension or alteration to a building within LP Policy GB2, however its criterion e. highlights that development that is consistent with LP Policies GB4 to GB10 need not be inappropriate development either.
4. Of particular relevance is LP Policy GB6 which states that in the Green Belt extensions to dwellings will not be permitted where they would, amongst other things, result in the gross floorspace of the original dwelling being increased by more than 50%. However, paragraph 2 of this policy highlights that proposals to extend dwellings that exceed the 50% limit may be permitted where additional floorspace is provided within the roof space of an extension which contains no dormer windows, and is no larger than necessary to provide a satisfactory designed roof to that extension (criterion c).
5. I consider these policies are broadly in accordance with the Framework and specifically the third bullet point of its paragraph 89 which states that the extension or alteration of a building is not inappropriate development within the Green Belt, provided that it does not result in disproportionate additions over and above the size of the original building.
6. There is dispute between the parties as to whether or not the floor area of the first floor of the proposed extension should be taken into account when assessing the amount of additional floor space to be provided as a result of the proposal. Taking into account the demolition of the existing single storey rear extension of 88m², the Council considers that the proposal would give rise to a net increase of 15m² or a 60% increase of floorspace over that of the original dwelling. LP paragraph 9.28 highlights that proposals for extensions which

involve the demolition of part of the existing building will be credited with the demolished floor space. This is in addition to the definitions and floorspace guidelines set out in LP paragraph 9.23.

7. LP Paragraph 9.23 highlights that where habitable floorspace is proposed to be created within the roof space, the floor space will be included in the floor space calculations only where it is lit by dormer windows or where other alterations were or will be made to change the shape or volume of the roof. It is therefore debatable as to whether the 18m² at first floor level should be taken into account within the calculations; and indeed if they were not included, the proposal would actually give rise to a slight net decrease in gross floor area from the existing situation.
8. However, and in any event, pursuant to paragraph 2c of LP Policy GB6, I consider that the roof is of an appropriate pitch, which is sympathetic to the vernacular architecture of both the host dwelling and other buildings within the immediate locality within the Askett Conservation Area. I note that the proposal comprises an enlargement over the previous planning permission, but this would not be materially larger, with the inclusion of the glass link and a modest enlargement of the single-storey utility/boot room.
9. From this basis I consider that the proposed extension would not appear to be disproportionately large in relation to the original dwelling. The proposal would not amount to inappropriate development and the consequent effect upon the openness of the Green Belt would not be detrimental. I find that the proposal complies with LP Policies GB2 and GB6, as well as DPD Policy CS9 and the Framework.

Character and Appearance – AONB

10. The Council states that the proposal would adversely impact upon the intrinsic landscape qualities of the AONB, but does not offer any further evidence as to why this would be so. The appeal site is situated within the Conservation Area which is characterised by high quality vernacular architecture. Bearing in mind that the Council has already granted Listed Building Consent for the self same proposal (16/07089/LBC) and that the Council's Conservation Officer raised no objection in heritage terms, I have been given no substantive reason to come to a different conclusion to this specialist advice.
11. DPD Policy CS17 and LP Policy L1 require special attention to be paid to the conservation of the AONB's scenic beauty, with the latter policy stating that where operational development is acceptable, it should be of the highest quality and its design should be in sympathy with the local landscape and traditional building styles. This stance is generally supported by the Framework in paragraph 115, which states that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty.
12. I find that the design of the proposed extensions would be sympathetic to their context and that the proposal would conserve the landscape and scenic beauty of the AONB in compliance with CS Policy CS17 and LP Policy L1, in addition to the Framework.

Very Special Circumstances

13.As I have found that the proposal would not be inappropriate development it is not necessary for me to identify whether there are any very special circumstances necessary to justify granting planning permission.

Other Matters

14.As referred to above, the Council has already granted Listed Building Consent for the self-same proposal that is before me; furthermore, I have also identified that the site falls within the Askett Conservation Area. The Council has raised no objections with respect to the impact of the proposal upon the significance of heritage assets, and I have been given no substantive reasons to come to different conclusions on these matters either. I find that the proposal would, at the very least, preserve the character and appearance of the Conservation Area and would preserve the Listed Building and its setting.

Conclusion and Conditions

15.For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

16.Other than the standard time limit condition, the Council has suggested a condition requiring the external materials to be used in the construction of the extensions to match those of the existing building. In the interests of the character and appearance of the surrounding area this is an appropriate condition. In addition, for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is imposed.

17.However, the Council have also suggested a further condition be imposed that prohibits additional openings being inserted into the roof slopes of the development hereby approved. No reason has been given as to why such a condition should be imposed and, in any event, any such alterations would require Listed Building Consent, over which the Council would have full control. I therefore consider that such a condition would be unnecessary.

C J Tivey

INSPECTOR