

Appeal Decision

Site visit made on 7 February 2017

by JP Sargent BA(Hons) MA MRTPI

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

Decision date: 13 February 2017

Appeal Ref: APP/F0114/D/16/3165375

6 Mill Cottages, The Shallows, Saltford, Bristol BS31 3EY

- 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 Ms Mandy Mabbs against the decision of Bath & North East Somerset Council.
 - The application Ref 16/02471/FUL, dated 17 May 2016, was refused by a notice the Appellant says was dated 31 October 2016.
 - The development proposed is to extend the kitchen by 2m in natural stone and old pantiles
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are
 - a) whether the scheme would be inappropriate development in the Green Belt that failed to preserve the Green Belt's openness and the character and appearance of the area;
 - b) whether it would fail to preserve the special architectural or historic interest of this Grade II listed building, whether it would fail to preserve the character or appearance of the Saltford Conservation Area, and whether it would harm the significance of either of these 2 designated heritage assets; and
 - c) if it would cause harm to the Green Belt by reason of inappropriateness and other harm, whether that harm would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the works, and if it would cause harm to the listed building and/or the conservation area whether public benefits would outweigh that harm (the balancing exercises).

Reasons

Inappropriate development

3. The *National Planning Policy Framework* (the Framework) says the Green Belt designation serves 5 purposes, one of which is to assist in safeguarding the countryside from encroachment. It adds that inappropriate development is by definition harmful to the Green Belt, and the construction of new buildings should be regarded as inappropriate. Exceptions to this are found in paragraph 89 where it lists various buildings that are not inappropriate, one of which is
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the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building¹.

This approach is broadly followed in Policy HG.15 of the *Bath and North East Somerset Local Plan*, which concerns house extensions in the Green Belt.

4. The Framework does not say what is meant by 'disproportionate', and so it is open to local planning authorities to provide a definition. I was told this Council has said it is a cumulative increase of greater than a third of the original dwelling when the combined volume of extensions built since 1948 are taken together. To my mind such an approach seems to be reasonable.
5. The appeal property stands at right angles to the lane with its frontage facing across its garden. As originally built it was a 2-storey stone cottage of 183 cubic metres². However, over time it has been extended by some 54.5% to a volume of 282 cubic metres. This has mainly taken the form of a single storey extension that was added in the 1970s to the side of the house furthest from the lane.
6. It is now intended to extend the entirety of the frontage of the 1970s addition by 2m. The works would have a volume of about 41 cubic metres, to make the resultant property some 77% larger than the original building. I consider this is sufficient to mean that, when taken together, the additions would readily constitute a disproportionate enlargement of the original dwelling. As a result, what is now before me would be inappropriate development.
7. Moreover, in my opinion this addition would also serve to erode, albeit slightly, the sense of openness experienced in the Green Belt by diminishing the extent of the garden and increasing the presence of built form.
8. Accordingly I conclude it would constitute inappropriate development in the Green Belt that would harm its openness.

Effect on the listed building and conservation area

9. The appeal site is in the Saltford Conservation Area, the significance of which is, to some degree, found in the way it encompasses a range of spaces, houses and buildings that illustrate the organic growth of this rural settlement. No 6 was originally a stone cottage from the early 18th Century, built in a simple style that would have no doubt been typical of this village. The property's significance lies in part in the way those historic origins are still apparent in the layout, proportions and detailing of the older section of the dwelling.
10. The 1970's extension is a long, thin addition to the side elevation that has a frontage length comparable to that of the older section, though it is set slightly further forward in a staggered arrangement. To my mind it currently detracts from the significance of the building in 2 ways. The first is with regard to its general condition, but with attention to render, guttering and so on that could be very much addressed. However, putting that aside it is of a scale that competes with the original building, while its window proportions, materials and detailing do little to reflect the special architectural and historic interest of the property. As a result, it now appears as a discordant addition that relates poorly to the cottage element.

¹ The 'original building' is defined by the Framework as the building as it stood on 1 July 1948

² All figures are provided by the Council and unchallenged by the Appellant

11. The proposal would make this unsatisfactory and relatively sizeable 1970s extension bigger. Moreover, it would result in a larger side wall at the point of the stagger that would draw attention to the extended element and would dominate and enclose the original frontage of the dwelling. Therefore, in my opinion it would harm the special architectural and historic interest of this property. Furthermore, by causing such harm to a listed building, and mindful of the prominence of the works from the lane, it would also fail to preserve the character and appearance of the conservation area.
12. Although I appreciate that the proposal would have casement windows of more sympathetic proportions I also note there would be a large patio window in the elevation to the garden that, because of its scale and form, would appear to be incongruous when seen in the context of the older part and would draw attention to this addition. Furthermore, while the natural stone finish would be preferable to the existing render, the effect of that is not sufficient to mean that overall the works would not be harmful.
13. Therefore, for these reasons I conclude this would be a discordant and alien addition that, when taken with the existing 1970s extension, would relate poorly to the older portion of the dwelling, dominating it and overwhelming it. Consequently the scheme would not preserve the special architectural or historic interest of the building and would not preserve the character or appearance of the conservation area, causing harm, albeit less than substantial, to the significance of these 2 designated heritage assets.

Balancing exercises

14. In paragraphs 87 and 88 the Framework states that substantial weight should be given to any harm to the Green Belt, and that inappropriate development should not be approved except in very special circumstances. It adds that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
15. Moreover, paragraph 132 of the Framework says great weight should be given to the conservation of a designated heritage asset, and any harm requires clear and convincing justification. In paragraph 134 it goes on to state that where a proposal would lead to less than substantial harm to the significance of such an asset that harm should be weighed against its public benefits.
16. In this case the material considerations and the other benefits offered by the Appellant concern the provision of a refuge in times of flooding. The property is on the river bank and I understand it floods often, but the 1970s extension has a higher floor level than the older part. The Appellant is therefore seeking to enlarge the extended section and install a bathroom so that it can continue to be occupied when the rest of the house is under water and uninhabitable.
17. However, I have little to demonstrate how often the extended element of the building could be used in this way or how practical such an approach would in fact be. Therefore, I cannot give it sufficient weight to mean it constitutes a public benefit that outweighs the harm to the heritage assets, or that it amounts to a consideration that clearly outweighs the harm to the Green Belt by reason of inappropriateness, and any other harm.

18. I do not question that the Appellant has done much to improve the property, but that in itself does not justify work that would otherwise be harmful. Moreover, as discussed above if the external elevations were finished in stone this would not outweigh the harm identified.

Conclusions

19. Accordingly I conclude that the proposal would fail to preserve the special architectural or historic interest of this listed building, and would fail to preserve the character or appearance of the Saltford Conservation Area, causing less than substantial harm to the significance of both of these heritage assets. In the absence of any public benefits to outweigh this harm I conclude the works would conflict with Policies BH.2 and BH.6 of the Local Plan, which seek to preserve the special architectural and historic interest of listed buildings and the character or appearance of conservation areas, and the Framework.
20. I further conclude that this would be inappropriate development in the Green Belt causing harm to its openness and the character and appearance of the area. In the absence of any other considerations that clearly outweigh this harm, the development would be contrary to Policy CP8 in the *Bath and North East Somerset Core Strategy*, Local Plan Policy HG.15 and the Framework.

J P Sargent

INSPECTOR