

Appeal Decision

Site visit made on 2 March 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 24 March 2017

Appeal Ref: APP/A0665/D/17/3166457

Littlebeck, Wicker Lane, Guilden Sutton, Chester, Cheshire, CH3 7EW

- 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 Martyn Davies against the decision of Chester West and Chester Council.
 - The application Ref: 16/03266/FUL was refused by notice dated 8 December 2016.
 - The development proposed is: single storey side, front and rear extensions with new roof and first floor accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect on the purposes of the Green Belt and its openness, 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 constitute the very special circumstances sufficient to justifying allowing the appeal.

Reasons

3. Littlebeck is a modest detached bungalow located within the settlement of Guilden Sutton. The Council advises that a kitchen and bedroom extension was approved in 1978. Guilden Sutton is set within the open countryside and washed over by the Green Belt designation.

Whether inappropriate development

4. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework. The 'original building' is as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally.

5. The national policy advice in the Framework has to be read together with the relevant development plan which in this case includes the Cheshire West and Chester Local Plan and the Chester District Local Plan. Policy STRAT 9 of the Cheshire West and Chester Local Plan seeks to maintain the extent of the North Cheshire Green Belt and to protect the countryside. Policy ENV66 of the Chester District Local Plan is consistent with national planning policy by permitting extensions to dwellings in the Green Belt provided that they would not result in disproportionate additions over and above the size of the original dwelling. The supporting text adds that as a general guide the size of the extension should not exceed 30% of the original dwelling.
6. Policy ENV6 of the Cheshire West and Chester Local Plan concerns high quality design and construction. Saved policy HO8 of the Chester District Local Plan requires, amongst other things, that proposals are in keeping with the scale and character of the existing dwelling and visually acceptable in relation to the dwelling and its wider setting.
7. The Council considers that, taking into account previous extensions and the demolition of the detached garage, the proposal comprises a 46% increase in volume and approximately a 130% (160% excluding the detached garage) increase in floor space, while increasing the height of the building. The appellant disputes these figures and has calculated the total increase in floor area as around 97.4%. Despite this, the proposed increase in size, according to the appellant's calculations, would still be well over the Council's 30% guideline. The appellant advises that the increase in footprint would be less than the 30% guideline. However, I consider that the increase in volume and floor area are also relevant considerations.
8. The appellant has referred to appeal decision ref: APP/A0665/D/16/3159159 in which an Inspector remarked that refusal of a garden room by the Council appeared to be based solely on a numerical calculation rather than a considered assessment of the proposed design. That proposal was not within the Green Belt and concerned a different form of house extension. As mentioned above, the Framework does not define the term "disproportionate" and the 30% guideline is not an absolute restriction. Despite this, I consider that the proposed increase in the floor space of the appeal dwelling and the increase in its height and bulk would represent a disproportionate addition and the proposal would constitute inappropriate development in the Green Belt.

Effect on the openness and purposes of the Green Belt

9. Although the increase in the footprint for the extended building would be limited, there would be a significant increase in the height and massing of the building. Consequently, there would be a detrimental effect on the openness of the Green Belt, albeit very limited in this developed area of the settlement and with no significant harm to the purposes of the Green Belt.

Other harm

10. The proposal has been designed to avoid any significant detrimental effect on the living conditions of neighbours. It would involve a transformation from a modest bungalow with a low roof to a higher building with a striking front elevation that would be prominent in the street scene. The area is characterised by dwellings of differing designs with those nearest the appeal

building being relatively low in height and in some cases extended with roof dormers. There are larger scale dwellings at the opposite side of Wicker Lane, but they are generally set within spacious plots. The proposed extended dwelling would fail to complement the character of neighbouring development at the same side of Wicker Lane because of its size and scale, contrary to Chester West and Chester Local Plan policy ENV6 and policy HO8 of the Chester Local Plan.

Whether very special circumstances exist

11. The Framework advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
12. The appellant advises that the extension is required to house elderly relatives. As well as extending the property, the applicants would also give up rooms on the ground floor which would require rooms on the first floor to compensate. No further details are provided and whilst there is potential for social benefit, having regard to the social role of planning in sustainability terms, I accord limited weight to this consideration.
13. The appellant advises that the building could be extended under permitted development rights and that this would result in a building that would not be as architecturally coherent as the proposed building; would be way over any 30% guideline, but would allow the accommodation required. Schematic drawings have been submitted to demonstrate what could be built under permitted development rights, but these do not demonstrate its architectural merit and I consider that the suggested alternative scheme would be insufficient reason to justify the proposal.
14. The matters raised by the appellant are acknowledged. However, as found above, the proposal would represent a disproportionate addition over and above the size of the original building and would constitute inappropriate development in the Green Belt. The harm from the proposal in respect of inappropriateness, and limited harm to the openness and purposes of the Green Belt clearly outweigh the matters put forward by the appellant. Very special circumstances do not exist which would justify allowing the proposal and it would conflict with the Framework, policy STRAT 9 of the Cheshire West and Chester Local Plan and policy ENV66 of the Chester District Local Plan.

Conclusion

15. I have taken all other matters raised into account. However, for the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR