

Appeal Decision

Site visit made on 6 June 2017

by J Bell-Williamson MA MRTPI

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

Decision date: 29 June 2017

Appeal Ref: APP/W1905/D/17/3172693

9 White Stubbs Farm, White Stubbs Lane, Broxbourne EN10 7QA

- 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 S Savage against the decision of Broxbourne Borough Council.
 - The application Ref 07/17/0086/HF, dated 27 January 2017, was refused by notice dated 13 March 2017.
 - The development proposed is detached pool structure with glazed link.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. This proposal follows an unsuccessful application for a similar form of extension (ref 07/16/0906/HF). While I note the appellant's comments about this earlier application and that the current proposal has sought to overcome concerns about the previous scheme, this appeal involves a separate development proposal which I have considered on its own merits.

Main Issues

3. As the appeal property is within the Green Belt the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - the effect on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, whether the harm to the Green Belt 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

4. The appeal site is located off White Stubbs Lane, a long semi-rural road with buildings in various uses interspersed along its length. No 9 is a detached one and a half storey dwelling within a group of nine dwellings. It is at the south-western end of this group furthest from the main road, with the access road in front and fields and open countryside comprising the immediately surrounding area.
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Whether the proposal is inappropriate development

5. The National Planning Policy Framework (the Framework) makes clear at paragraph 89 that the construction of new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions. One of these is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
6. Policy GBC2 of the Council's Local Plan Second Review 2001-2011 (the Local Plan) includes exemptions to the general presumption against development in the Green Belt, including limited extensions to dwellings, subject to the requirements of Policy GBC11. Despite the fact that it refers to 'dwellings' rather than 'buildings', this policy includes a first criterion that reflects the provisions of the Framework referred to above. Therefore, although these local policies pre-date the Framework, they are broadly consistent with it. However, neither the Framework nor Policy GBC11 quantifies the size or scale of additions that are considered proportionate in relation to an original building.
7. The Council indicates that the floorspace of the appeal property as first built was 198m², while the existing rear extension and proposed extension combined amount to some 162m², or an 82% increase over the size of the original building. By this measurement, these additions would result in a significant degree of change to the original building. However, assessing proportionality is primarily an objective test based on size and, therefore, floorspace is not the only possible measure of the degree of change. I acknowledge in this regard the appellant's assertion that the supporting text to Policy GBC11 places particular emphasis on the impact of the proposed extension on the size and appearance of the dwelling as originally built. Accordingly, it is important to compare any changes to the original physical size and scale of the building, including the degree of bulk or mass that might be added.
8. The proposed extension would be single storey and built on garden land to the south of the host dwelling that slopes away from it. As such, the extension would appear subordinate in height to the dwelling and would not add significant bulk or mass to what is already a low-rise building. However, due to its limited height but overall size No 9 occupies a relatively large footprint. This results in a building with a long frontage, that is also characteristic of neighbouring properties.
9. The substantive amount of floorspace that would be added through the extension would be in similarly low-rise built form. Due to its overall size but limited height, the extension would also cover a large footprint and, together with the glazed link, would add some 16 to 17 metres development to what is already a long built frontage. The result would be a disproportionately long building with an extensive frontage that would be apparent both in its own right and in comparison to its neighbours.
10. Taking account of these matters as a whole, for the reasons given I find that both in terms of additional floorspace and physical change, the proposal would result in a disproportionate addition over and above the size of the original building. It would, therefore, be inappropriate development for the purposes of the national guidance and local policies referred to above, which is, by definition, harmful to the Green Belt.

Effect on openness

11. The Framework states that the essential characteristics of Green Belts are their openness and their permanence. The proposal would add built development where currently there is none, so there would inevitably be some effect on the openness of the Green Belt. The limited height of the development would reduce its effects in this regard, but I have found above that the extension would add a disproportionate degree of further built frontage to the dwelling. This would result in a material reduction of the openness of the garden area to the dwelling's side that itself is bounded by open land. Moreover, the extent of the reduction of the open area to the side would be apparent from the public byway that runs to the east of the site.
12. Therefore, for these reasons, I conclude that the proposed extension would have an unacceptably harmful effect to the openness of the Green Belt in this location; and so it is contrary to the Framework and to Policy GBC11(iii) of the Local Plan.

Other considerations

13. I accept that the development would not encroach into countryside beyond the dwelling's curtilage, contrary to a purpose of the Green Belt. This is, however, a neutral factor in the overall consideration of the proposal's effects, which does not outweigh the other harm that has been found.
14. I acknowledge that the appellant might be frustrated by the basis on which the application the subject of this appeal was determined. I have, however, considered the proposal on its merits taking account of all submitted representations and the site inspection. Accordingly, I must give this matter limited weight. No other considerations are raised in support of the appeal.

Overall Conclusion

15. The proposed development would represent inappropriate development in the Green Belt. The Framework requires that substantial weight must be attributed to harm by way of inappropriateness to the Green Belt. Furthermore, I have also found that the proposal would have an unacceptably harmful effect on the openness of the Green Belt in this location.
16. There are no other considerations raised in support of the development that would outweigh the harm identified to the Green Belt. Therefore, very special circumstances do not exist and permission should not be granted as the proposal is contrary to guidance in the Framework and to Policies GBC2 and GBC11 of the Local Plan, as described above. Accordingly, for the reasons given above and having regard to all other matters raised, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR