

# Appeal Decision

Site visit made on 14<sup>th</sup> June 2017

**by Alison Roland BSc DipTP MRTPI**

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

**Decision date:**

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**Appeal Ref: APP/C2741/D/17/3173686**

**Glen Cottage, Stripe Lane, Skelton, York, YO30 1YJ.**

- 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 & Mrs Dunn against the decision of City of York Council.
  - The application Ref: 17/00262/FUL, dated 7 February 2017, was refused by notice dated 5 April 2017.
  - The development proposed is new pitched roof extension to existing flat roof with room in roof & dormers.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this appeal is whether the proposal amounts to inappropriate development in the Green Belt (GB) and if so, whether the harm by reason of inappropriateness and any other harm, (including harm to the character and appearance of the area), 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 (the Framework) states that extensions to buildings in the GB are not inappropriate development provided that they do not result in disproportionate additions over and above the size of the original building. Policy GB4 of the City of York Draft Local Plan Incorporating the 4<sup>th</sup> Set of Changes (2005) (LP) is concerned with alterations and extensions to dwellings in the countryside and GB. Criterion c) requires them to be small in scale compared to the original dwelling. The explanatory text states that in general terms a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be a large scale addition and resisted accordingly. Policy GB1 allows for the limited extension of existing dwellings provided they would not detract from the open character of the GB. As this plan was not adopted, it limits the weight I can attach to these policies. Nonetheless, the objective of GB4 to restrict the scale of residential extensions in the GB is broadly consistent with the advice in the Framework and it therefore carries
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some weight. Policy GB1 is inconsistent with the Framework in that it refers to the existing and not original dwelling, and I therefore consider it carries limited weight.

4. In its own right, the proposed first floor addition would represent a modest addition to the property above an existing flat roofed element at ground floor. However, to view it in isolation without reference to the previously approved and built extensions (application Ref: 16/00116/FU) would not be correct (nor Framework compliant), since such an approach could potentially allow a number of incremental additions to a property which cumulatively could amount to a disproportionate addition. The reference to *original building* the Framework and linked definition of that term in Annex 2 lends credence to this view.
5. I have been supplied with the previously approved drawings for application Ref: 16/00116/FU and was able to view the extensions as built at my visit. There is disagreement between the parties as to what constituted the original building. The Council take the view (with reference to drawing No 15/27/01 dated December 2015), that it comprised the lounge and kitchen to the ground floor with bedroom 2 and bedroom 3 above. The appellant believes it included the single storey wing (bathroom and store) to the East elevation. It is difficult to reconcile these differing accounts on the information available, but I do not consider the difference has any bearing on the outcome of the appeal.
6. The extensions as built have imparted a significantly greater bulk to the appeal property (particularly in the case of the rearwards extension) and the appellant concedes that they exceeded the 25% allowance in Policy GB4. The appeal proposal would add still further to the bulk of the property, most markedly at first floor level and whilst its frontage width would not increase at ground floor level, the addition of the first floor above would make the property appear appreciably wider. Even adopting the appellant's interpretation of what constituted the original building, it is clear to me that the appeal proposals, taken together with the previous additions to the property, would amount to a disproportionate addition. Added to this harm would be a loss of openness arising from the substantial increase in size of the resultant property. Even taken in isolation, the proposal would lead to some loss of openness. This would be localized, but would add to the harm by reason of inappropriateness.
7. The proposal would thus amount to inappropriate development in the GB and would conflict with the advice in the Framework, Policies GB1 and GB4 of the LP and Design Guideline 4 of the *Skelton Village Design Statement (VDS)* which relate to development in the GB. The appellant questions whether the latter document is relevant, but the introduction on page 3 clearly states that "*It concerns anyone considering development—large or small—in, or in the surroundings of, Skelton village*" and the Parish map on page 2 includes the appeal site. I appreciate its status as an Interim Planning Statement to the unadopted Local Plan limits the weight I can attach to it, but it is nonetheless relevant as a material consideration.
8. Paragraph 87 of the Framework states that inappropriate development is by definition, harmful to the GB and should not be approved except in very special circumstances. Paragraph 88 states that the decision maker should ensure that substantial weight is given to any harm thereto.

9. In addition, I consider that the extension in combination with the previously built extensions would be excessive in scale and would visually overwhelm the appeal property, to the detriment of its character and appearance. In this respect, it would conflict with the advice in the *House Extensions and Alterations* Draft Supplementary Planning Document (2012) (SPD). This advises amongst other things, that side extensions should be subservient to the original dwelling, with the ridge height being lower than the original and the front elevation should be set behind the building line. It would also conflict with criterion a) of Policy GP1 of the LP which requires proposals to respect or enhance the local environment and criterion b) of Policy H7 which requires the design and scale of residential extensions to be appropriate in relation to the main dwelling.
10. Whilst the previous side extension incorporated a small step down in the ridge, as would the appeal proposal, the effect would be insufficient to render them (in combination) appearing subservient to the original property. I appreciate the appellant's point that the SPD is a draft document, but it was subject to public consultation prior to adoption by the Council's Cabinet and carries some weight as a material consideration.
11. The appellant advances other considerations in favour of the appeal. The garden of the appeal property is largely surrounded by trees and hedgerows and an outbuilding dominates the site frontage. Whilst I do not disagree with that assessment, the frontage of the dwelling is nonetheless visible from Stripe Lane and the change from the original scale of the dwelling to its resultant appearance were the appeal to proceed, would be readily discernible, particularly following leaf fall in winter. I therefore give this factor limited weight.
12. My attention has been drawn to a consent granted for a replacement dwelling nearby which the appellant says is around 50% larger than the dwelling it replaced. However, in the absence of any detailed information about that application, it is difficult to make a meaningful comparison with the appeal proposal which I must in any event, consider on its merits. I therefore attach very limited weight to that particular point.
13. It is also contended that the proposal would not conflict with any of the purposes of including land in the GB and I agree. However, that is not the correct parameter in the consideration of extensions to buildings, which is the case here. I also do not accept that the correct test is to assess the proposal against the existing appearance of the building, for the reasons outlined earlier in my decision.
14. It is contended that the provision of a pitched roof over the existing flat roofed part of the building would effect a visual improvement. However, the latter being single storey, is visually discrete and not visible above the frontage hedgerow, whereas the proposal would be. I therefore attach limited weight to this issue.
15. I have found on the main issue that the proposal would amount to inappropriate development in the GB and that it would also give rise to some loss of openness thereto. I attach substantial weight to these findings. There would be added harm caused to the character and appearance of the original cottage by virtue of it appearing overwhelmed with extensions. For the appeal to succeed, the

combined weight of the other considerations raised by the appellant must be sufficient to clearly outweigh the totality of harm identified. Overall, I conclude that the other considerations raised by the appellant, even taken together, would not clearly outweigh the harm identified. It follows that the very special circumstances necessary to justify the development do not exist. The appeal therefore fails.

*ALISON ROLAND*

INSPECTOR