

Appeal Decision

Site visit made on 31 May 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2019

Appeal Ref: APP/J0405/D/19/3225470

32 Main Road South, Dagnall, HP4 1QX

- 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 Darron Stokes against the decision of Aylesbury Vale District Council.
 - The application Ref 18/02059/APP, dated 10 June 2018, was refused by notice dated 15 February 2019.
 - The development proposed was originally described as a two-storey rear extension, single storey side extension and garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description in the banner heading has been taken from the planning application form but the proposal was altered during the planning application to concern a single storey rear extension, single storey side extension and garage. The council determined the application on that basis and, I have dealt with the appeal decision in the same way.

Main Issues

3. The site is within the Green Belt. Accordingly, the main issues are:
 - i. Whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (Framework) and any relevant development plan policies;
 - ii. The effect on the openness of the Green Belt;
 - iii. If the development is inappropriate, whether there are any considerations, which would clearly outweigh the harm through inappropriateness, and any other harm, sufficient to amount to the very special circumstances needed to justify the proposal.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The site is located within the settlement area of Dagnall. It comprises a two storey bungalow on an elevated site, and this results in the property being higher than the street level. It has a driveway and front and rear garden areas and it backs onto open countryside. The site falls within the Metropolitan Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB).
5. Paragraph 145 of the Framework states that a local planning authority should regard the construction of new dwellings as inappropriate in the Green Belt; exceptions to this include 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. The Council state that as a rule of thumb they normally ensure that extensions do not exceed 25-30% of the original dwelling either in terms of floorspace or volume.
7. I note that planning permission was granted in 2006 for a single storey front and side extension and this has been implemented as was evident from my site visit. The Council state that the area of the dwelling including previous extensions, the additional first floor accommodation and the proposed extension would result in a floor area of 149 square metres and a volume of 634 cubic metres. They state that cumulatively the total additions to the original dwelling house, with the proposal, would result in an 85% increase in terms of floorspace and an 86% increase in volume.
8. The appellant disputes this figure and claims that it would be nearer to a 69% increase in floor area. Either way, the extensions to the property would far exceed the 25-30% figure that the council consider proportionate. I accept that this figure is not set out in policy, that each case should be determined on its own merits and that there are cases locally whereby extensions of 35 – 40% increases have been allowed.
9. However, I conclude that the increase in floorspace and volume to the original dwelling house would be so significant that this would result in development that would be considered disproportionate to the host dwelling.
10. Consequently, the proposal would be inappropriate development within the Green Belt and so it would not comply with paragraph 145 of the Framework. It would also be in conflict with Policy RA.6 of the Aylesbury Vale District Local Plan (2010) (AVDLP) in relation to the presumption it applies against new building development in the Green Belt and with Policy RA.18 of the AVDLP where it concerns extensions and alterations that are not out of proportion.

Openness

11. The Framework states that an essential characteristic of Green Belts is their openness. The depth of the proposed rear extension is considerable and whilst this will not be highly visible from the street scene due to the distance the existing dwelling is set back, the proposal would result in an increase in

the built form on the site and the cumulative bulk of the property would be increased.

12. I also find that the proposed garage, which would replace the existing sheds on the site would significantly increase the built up appearance of this part of the site, being taller and deeper than the existing sheds. Overall, I find that the proposed alterations to the dwelling would be more prominent, both spatially and visually and as a result there would be a moderate reduction in the openness of the Green Belt.
13. I therefore conclude that the proposal would be contrary to Policies RA6 and RA18 of the AVDLP and the Framework, where they seek to preserve the openness of the Green Belt.

Other Considerations

14. The appellant has drawn my attention to the fallback position in relation to extending the existing dwelling under permitted development rights. There is not compelling evidence before me to suggest, though, that the fallback position would be likely to be implemented and so it does not justify the proposal before me. In relation to other nearby extensions, I only have limited details of how they came about. In any event, all proposals are to be determined on their own merits and, as such, I give these limited weight.
15. The Council's emerging local plan has also been drawn to my attention although as the approach to the Green Belt does not appear to be substantively different as regards the proposal before me, it does not change my views.
16. I have had regard to the purpose of conserving and enhancing the natural beauty of the AONB, and find the proposal would not conflict with this duty. This attracts neutral weight.

Conclusion

17. The Framework says that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.
18. Paragraph 144 of the Framework establishes that substantial weight should be given to any harm to the Green Belt. Having considered all matters raised in support of the proposal, they collectively do not clearly outweigh the totality of harm arising from inappropriate development and a moderate reduction in the openness of the Green Belt.
19. Consequently, I conclude that very special circumstances to justify the development do not exist and for the reasons given above, I conclude that the appeal is dismissed.

Gemma Jenkinson

INSPECTOR