The Planning Inspectorate

Appeal Decision

Site visit made on 22 March 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/N0410/D/19/3219757
Woodside, Hedgerley Hill, Hedgerley, SL2 3RL

- 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 and Mrs Lahert against the decision of South Bucks District Council.
- The application Ref PL/18/3483/FA, dated 20 September 2018, was refused by notice dated 4 December 2018.
- The development proposed is a single storey rear extension.

Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt. Accordingly, the main issues are:

   i) Whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework);

   ii) The effect on the openness of the Green Belt;

   iii) The effect of the development upon the character and appearance of the area and host dwelling; and,

   iv) Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

3. The appeal site is located on the western side of Hedgerley Hill within the Metropolitan Green Belt area of Hedgerley. The site comprises a sizeable detached property which benefits from previous extensions. The appeal application sought planning permission for a stepped single storey rear extension measuring 3.6m and 4.5m in depth with a flat crown roof measuring a maximum of 3.1m in height. The extension would provide a larger open plan kitchen / diner.

Whether the proposal is inappropriate development within the Green Belt

4. The Government attaches great importance to Green Belts. The Framework sets out the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions to this are set out in Paragraphs 145 and 146 of the Framework; one being 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.

5. Assessing proportionality is a matter of judgement, but it is also a relatively objective test based on size, floor space and volume. I am advised that the original building has been previously extended by some 215% and the appeal proposal would result in a further 43 square metres of floorspace. Thus, the property has already been extended considerably more than the Councils 50% guideline limit set out in the notes to policy GB10 of the South Buck District Local Plan ('Local Plan').

6. I acknowledge that the Council's policy regarding the 50% rule dates from 1999 and that the Council has recently merged its planning department with Chiltern District Council which does not have any such policies in its plan, however, Policy GB10 was adopted as part of the Local Plan and forms part of the development plan for the area. In terms of the proposal, the policy is sufficiently consistent with the Framework not to be out of date

7. In my assessment, by any reasonable estimate the proposed development would result in disproportionate additions over and above the size of the original dwelling. The proposed extension would therefore result in inappropriate development within the Green Belt. I therefore find conflict with Policies GB1 and GB10 of the Local Plan, which seek to ensure that extensions and alterations of dwellings will be small scale compared with the original dwelling.

8. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness of the Green Belt

9. The Framework states that an essential characteristic of Green Belts is their openness. The depth and cumulative bulk of the proposed extension would result in a development that would be somewhat more prominent, both spatially and visually and there would be a moderate reduction in openness.

10. I acknowledge that the appeal site is located adjacent to other residential properties and opposite a housing estate. I also acknowledge that the extension would not be visible from any surrounding countryside. Nonetheless, the site backs onto surrounding countryside that lies within the Metropolitan Green Belt. The proposed extensions would extend the rear building line of the host property, further than that of adjacent properties and as such would result in encroachment that would be harmful to the openness of the Green Belt.

Character and Appearance

11. The proposed single storey rear extension would result in a hipped roof with a crown roof located to the rear of the dwelling. While the proposed extension would not appear fully integrated with the existing dwelling it is not considered to result in any more harm to the character of the host dwelling. The Council considers that, subject to the normal condition to control use of facing materials, the scale and siting of the development would be acceptable when considered against policies EP3 and H11 of the Local Plan and the design advice in Appendix 8 of the Plan. I concur with this assessment.

Other Considerations

12. I note the concerns of the neighbouring residents at Dovedale, with regard to loss of light and overlooking. The proposed rear extensions would not breach the 60 degree rules when being viewed from the nearest habitable rear facing windows at the immediate neighbours. Taking into account the design and position of the proposed extension I find that the proposal will not affect the visual outlook of the neighbouring properties.

13. The proposed balcony would have a privacy screen along the flank elevation adjacent to the neighbouring property Dovedale, which would negate any issues of overlooking. Furthermore, it would be set below the ridge of the pitched roof serving the single-storey extension, thus taking this into account and its distance from the boundary, the development would not appear over dominant or obtrusive when viewed from the neighbouring property. The proposal would not therefore adversely affect the living conditions of adjacent properties. Furthermore, I note that the Council did not raise any concerns in respect of the living conditions of the neighbouring properties.

Conclusions

14. Having considered the matters raised by the appellant in support of the proposal relating to the applicability of the 50% guideline limit and the lack of harm to living conditions, these do not weigh in favour of the proposal or outweigh the totality of harm arising from inappropriateness and the harm to the openness of the Green Belt, which attract substantial weight against the development.

15. Consequently, very special circumstances to justify the development do not exist and for the reasons given above, I conclude that the appeal should be dismissed.

Gemma Jenkinson

INSPECTOR