



Appeal Decision

Site visit made on 6 August 2019 by L Wilson BA (Hons) MA

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/X4725/D/19/3229894

122 Huddersfield Road, West Bretton, Wakefield, WF4 4JW

- 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 C Brooke against the decision of Wakefield Metropolitan District Council.
 - The application Ref 19/00599/FUL, dated 5 March 2019, was refused by notice dated 7 May 2019.
 - The development proposed is to erect two first floor rear extensions and new roof to the utility room.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. An amended version of the description of development has been used in the banner heading above as it provides a more accurate description. The proposal was amended before the Council determined the application.

Main Issues

4. These are as follows: (1) whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy, (2) the effect of the proposal on the openness of the Green Belt and (3) if the development would be inappropriate, 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 for the Recommendation

5. No. 122 is a semi-detached two storey property which is set back from the highway. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One exception 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. Policy D23 of the Local Development Framework Development Policies (LDF) is consistent with this approach.

6. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The Framework does not specify what might be a disproportionate addition over and above the size of the original building. However, the Wakefield District Residential Design Guide, Part 2: Guidance for householders, Supplementary Planning Document (2018) (SPD) provides some guidance. It states that a maximum extension of up to 50% of the volume and 50% of the floor space of the original house may be regarded as proportionate over and above the size of the original house. The SPD provides relevant guidance which I give significant weight.
7. The dwelling has been significantly extended over the years. The Council consider the proposal, cumulatively with the previous extensions, would result in an increase in the volume by 134%. Compared to the existing dwelling, the proposal would result in an increase in the volume by 36%. Whilst the proposal does not increase the footprint of the dwelling, previous extensions have added 149% to the original footprint. The appellant does not dispute these figures.
8. The increase in volume would result in disproportionate additions over and above the size of the original dwelling and would therefore constitute inappropriate development. Accordingly, the proposal would conflict with the Framework, LDF Policy D23 and the SPD.

Openness of the Green Belt

9. The essential characteristics of Green Belts are their openness and their permanence. The extension would not have a visual impact upon the openness of the Green Belt as it would be located to the rear and concealed from wider public views. Furthermore, the footprint and maximum height of the dwelling would remain as existing. Nevertheless, it would have a spatial impact as the volume of the property would be increased and would add significant bulk, scale and mass. This impact would be emphasised as the adjoining property's rear projection is significantly less.
10. The proposed extension would thus have a detrimental effect on the openness of the Green Belt which would conflict with the purpose of Green Belt policy, as stated in the Framework, to keep land permanently open.

Other Considerations

11. Substantial weight should be given to any harm to the Green Belt. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. The neighbour has an extant planning consent for a two-storey extension, but I do not have full details of this scheme and so cannot be certain that they represent a direct parallel to the appeal proposal.
12. I have taken into account the appellant's wish to use the additional accommodation to care for their mother. The Planning Practice Guidance sets out that there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who

would benefit from the permission¹. The evidence submitted does not demonstrate that the extension would be the only way of meeting the needs of the family. Personal circumstances rarely outweigh general planning considerations as the occupants of a dwelling can change whereas an extension would be permanent.

Conclusion and Recommendation

13. The development constitutes inappropriate development in the Green Belt, which carries substantial weight. Additional weight is given to its harm to the openness. As cited above, the proposal conflicts with both local and national planning policy.
14. On the side, minimal weight is given to the argument that the neighbour has an extant planning consent for a two-storey extension, and limited weight to the personal circumstances presented. The argument that design of the development would be appropriate is a neutral factor on the overall balance in that it neither weighs for or against. The advanced considerations in support of the appeal, whether taken individually to cumulatively, do not, on balance, clearly outweigh the conflict with planning policies designed to protect the Green Belt so as to justify the grant of planning permission on the basis of very special circumstances.
15. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR

¹ Paragraph: 015 Reference ID: 21a-015-20140306