



Appeal Decision

Site visit made on 13 August 2019

by E Symmons BSc (Hons), MSc

an Inspector appointed by the Secretary of State

Decision date: 11 September 2019

Appeal Ref: APP/P0240/D/19/3228988

Jockey Farm, Watling Street, Dunstable, Bedfordshire LU6 3QP

- 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 Miss A. Berry against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/00099/FULL, dated 7 January 2019, was refused by notice dated 13 March 2019.
 - The development proposed is for a two-storey side and front extension plus ground floor canopy roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Within their Officer Report the Council refers to Policy SP4 of the emerging Central Bedfordshire Local Plan 2015-2035¹. These plans have not been the subject of independent examination and additionally, specific policies within this plan have not been referred to within the Decision Notice. As such I give them little weight within the context of this case.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt and the purposes of including land within it;
 - the effect of the proposal on the character and appearance of the area; and
 - if it is inappropriate development, whether the harm 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 the development.

¹ January 2018.

Reasons

Whether Inappropriate Development in the Green Belt

4. National Planning Policy Framework² (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is harmful and should not be approved except in very special circumstances. Paragraph 145 of the Framework states that extensions should not represent a disproportionate addition over and above the size of the original building. Policy H13 of the South Bedfordshire Local Plan Review 2004 (Local Plan) states that extensions to dwellings in the green belt should be of a modest scale not disproportionate to the original dwelling. As this policy is broadly consistent with the Framework, I can attach substantial weight to it.
5. The detached appeal property sits within a shallow valley within a large plot adjacent to the A5183 which, at the time of my site visit, was heavily trafficked. The property is set back from the highway by a parking area and enclosed by high evergreen hedges, walls and railings. Surrounding the appeal property is a variety of commercial units with a Gypsy and Traveller site directly to the south east. This group of buildings sits within open countryside being set apart from nearby settlements and surrounded by fields.
6. The two storey proposed extension would increase the current footprint of the property to both the side and front to accommodate a large downstairs sitting room with bedroom and dressing room space above. The extension would increase the mass of the dwelling by approximately one third, and when combined with the existing extensions to the dwelling, would substantially increase its size.
7. The main parties agree that the cumulative increase in the size of the dwelling from that originally constructed would be 123%. Due to the scale, mass and height of the proposed extension which, in addition to the existing extensions would more than double the dwelling size from that originally constructed, would represent a disproportionate increase in size. This view is supported by the Central Bedfordshire Design Guide 2014³ (Design Guide) which defines proportionate additions as no more than a 60% increase over and above the original dwelling size. Accordingly, it would conflict with Policy H13 of the Local Plan. Furthermore, I do not consider that any of the remaining exceptions within paragraph 145 apply to this development. It is therefore inappropriate development for the purposes of Green Belt policy.

Openness

8. The appeal site is in a prominent position along a busy road and due to its height, the property can be seen on approach from either direction. The proposed extension, due to its height and mass, would be visible against the skyline. The increased mass and outline of the proposal would have a greater impact on the openness of the Green Belt by interrupting views around the dwelling when compared with the current situation. The effect on openness would conflict with Policy H13 of the Local Plan. I afford this harm substantial weight in accordance with paragraph 144 of the Framework.

² February 2019.

³ Section 7, Householders Alterations and Extensions. Central Bedfordshire Design Guide. A guide for designing high quality new developments. September 2014.

The effect of the proposal on the character and appearance of the area

9. Policy H8 of the Local Plan is referenced within Policy H13 and relates to extensions to dwellings seeking that these relate well to the existing building. The appellant argues that although the proposal would result in an increase in size, it should be considered within the context of the local area. Aerial photographs have been submitted which show the dwelling amongst these other buildings and it is considered that the effect of the extension would be mitigated by their presence. However, when viewing the property from the ground it is seen against the skyline and not against the other buildings. I therefore give this assertion little weight.
10. Although the proposal is contrary to the Design Guide with respect to its size, it does not sit within a residential context and although the extension is disproportionate, it would not conflict with any prevailing style and design due to its isolation from other residential properties. Therefore, despite its size, it would not conflict with Policy H8 of the Local Plan. The effect of the proposal upon the character and appearance of the rural area would therefore represent a neutral factor within my planning balance.

Other considerations

11. The appellant considers that the proposal would improve and balance the appearance of the dwelling however, the current dwelling's design does not appear awkward or incongruous and I give this limited weight. The proposal would also improve the living conditions of the occupiers of the property however, this is a private benefit which I also afford limited weight. No other considerations which would weigh in favour of the development have been put forward by the appellant.

Green Belt Planning Balance

12. The proposal has been found to constitute inappropriate development and the Framework indicates that this is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that all development must preserve this openness. The harm to the openness of the Green Belt carries substantial weight.
13. The other considerations which arise have limited weight in favour of the proposal and do not outweigh the totality of the harm due to the loss of openness to the Green Belt. The effect of the proposal on the rural character of the area has a neutral impact within this decision. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal conflicts with Policy H13 of the Local Plan and the Green Belt policies within the Framework already outlined.
14. For the reasons given, I conclude that the appeal should be dismissed.

E Symmons

INSPECTOR