



Appeal Decision

Site visit made on 5 November 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 15th November 2019

Appeal Ref: APP/J4525/D/19/3235547

Staithes House, 2 Waterside, Coxgreen, Sunderland SR4 9JS

- 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 Mrs Barbara Mathie against the decision of Sunderland City Council.
 - The application Ref 19/00997/FUL, dated 12 June 2019, was refused by notice dated 08 August 2019.
 - The development proposed is described as "Demolish existing dining room/w.c. offshot and conservatory. Construct new front porch with coats cupboard, construct new single storey rear extension and 1/2 storey side extension – kitchen/dining rooms, lounge, and en-suite bedroom to ground floor with 2no. rooflights, and new front window to form internal w.c. Lounge with balcony and bathroom extension to first floor, and loft conversion to form quiet room/en-suite bedroom with new front dormer window and rooflight to rear."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the original description of the development, amended plans were submitted which removed the balcony and moved the dormer extension from the front to the rear elevation. The Council accepted the amended plans and I have therefore determined the appeal on the basis of the amended scheme that was considered by the Council.

Main Issues

3. The main issues are:
 - i) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect of the proposal on the openness and visual amenities of the Green Belt; and
 - iii) If the proposal 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 it.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The appeal property is a 2 storey semi-detached dwelling that has been extended previously to the side and rear. It is part of a small group of properties including a public house on the southern side of the River Wear. The surrounding area is open countryside, characterised by farmed land with scattered trees and woodland.
5. Policy CN3 of the City of Sunderland Unitary Development Plan Adopted 1998 (the UDP) sets out the construction of new buildings in the Green Belt is inappropriate except for a limited number of purposes including limited extension, alteration or replacement of existing dwellings. This is reasonably consistent with the policies in the Framework that protect the Green Belt, including the exception in Paragraph 145 c) 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. Although the Framework does not define 'disproportionate', the Council's Household Alterations and Extensions Supplementary Planning Document Adopted July 2010 sets out that extensions to the original property should not generally increase the volume or the floor area of the original dwelling by more than a third.
7. The dimensions of the original dwelling have not been provided and the appellant has included the existing extensions in the size calculations. However, the existing footprint of the dwelling including the extensions is approximately 83 square metres. The proposed extended property would have a footprint of 138 square metres. Therefore, there would be an approximately 60% increase in the footprint of development.
8. If the existing extensions were removed from the calculation, and the proposal was compared to the original building, it would represent an even greater increase in the size of the dwelling. The figure of a 60% increase is therefore an underestimate. In this respect, and although the Council has not provided detailed calculations, it considers that the footprint and the volume of the original dwelling would be increased by more than 100%. Irrespective of the precise volume or floor area increase proposed, the evidence clearly demonstrates that the proposal would represent a significant increase the size of the original building.
9. Therefore, the appeal scheme would result in disproportionate additions over and above the size of the original building. For this reason, the proposal would be inappropriate development in the Green Belt. It would conflict with Policy CN3 of the UDP and the policies in the Framework that protect the Green Belt.

Openness and visual amenity of the Green Belt

10. The Framework advises that openness and permanence are the essential characteristics of the Green Belt. Openness is the absence of development and it has both spatial and visual aspects.
11. The appeal property is a relatively simple and modest semi-detached dwelling. The existing single-storey flat roof extension and conservatory are subservient to the host property. In contrast, the proposed development would be a

significantly large and bulky addition to the property. However, given the already developed nature of the area around the property, there would be a minimal spatial loss of openness.

12. The 2 storey side elevation would be flush with the front and rear elevations of the host property and it would have the same eaves and ridge height. Consequently, it would not be subservient to the host property. The single storey rear extension would span the width of the property and it would finish just below the first floor windows. It would therefore overwhelm the existing rear elevation. Furthermore, in combination with the dormer roof extension, it would not respect the simple rear elevations of the host property and the adjoining semi-detached property.
13. The side extension would enable independent living. Although not proposed as a separate dwelling, by virtue of its large size and separate front entrance, it would nevertheless result in the appearance of an additional dwelling in this location.
14. The appeal property is in a prominent roadside location. Its front, side and rear elevations are all readily visible from public viewpoints in the surrounding area, including the road and footpath to the front of the property and the road to the side of the nearby public house. By virtue of its large size, complicated form and relationship to the host property and surrounding buildings, the proposal would be a conspicuous and incongruous form of development. It would result in a significant visual impact when viewed from the surrounding area.
15. Consequently, there would be a small loss of openness of the Green Belt in this location. The proposal would conflict with Policy CN5 of the UDP which requires development to avoid harm to the visual amenities of the Green Belt.

Other Considerations

16. I accept that the proposed development would be a benefit to the appellant and her family through the creation of additional internal living accommodation suitable for occupation by a large family, with separate annexed accommodation for an additional family member. However, there is little before me to indicate that there are no alternative proposals that could deliver similar benefits without the harm that I have identified. This is a matter which carries limited weight in my assessment.
17. The proposal was amended to remove the balcony and to replace the front dormer extension with a rear dormer. However, these are relatively minor revisions to a significantly large scheme and they do not mitigate the adverse effects of the proposals. This is not a matter that weighs in favour of the scheme.
18. The proposal would not result in harm to the living conditions of the occupiers of neighbouring properties. It would not increase the risk of flooding and it would not result in adverse impacts on highway safety. Mitigation for the avoidance of impacts on protected species could be secured by condition. However, these are requirements of the development plan and they are not benefits that weigh in favour of the scheme.
19. My attention has been drawn to properties elsewhere in the area that have been extended. Full details of those schemes are not before me and I cannot therefore be certain that they are directly comparable to the appeal scheme.

However, on the basis of the limited information before me they appear to differ in a number of ways, including the policy context and the size of the extensions and their relationship to the host properties and surrounding built environment. Development elsewhere that was permitted in any earlier policy context or that accords with current planning policy does not provide a justification for or weigh in favour of the appeal scheme.

Green Belt Balance

20. I have concluded that the proposal would be inappropriate development in the Green Belt. It would result in a small loss of openness of the Green Belt. These matters attract substantial weight. It would result in harm to the visual amenity of the Green Belt.
21. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness and other harm. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

22. For the reasons set out above, the appeal should be dismissed.

Sarah Manchester

INSPECTOR