The Planning Inspectorate

Appeal Decision

Site visit made on 12 November 2019

by Sarah Manchester BSc MSc PhD MIEnvSc

an Inspector appointed by the Secretary of State

Decision date: 26th November 2019

Appeal Ref: APP/P2935/D/19/3235928
1 School Row, Hedley-on-the-Hill, nr Stocksfield, Northumberland NE43 7SP

- 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 Ms Alison Howey against the decision of Northumberland County Council.
- The application Ref 19/01422/FUL, dated 01 May 2019, was refused by notice dated 09 August 2019.
- The development proposed is a two storey side extension to existing two storey end of terrace dwelling house.

Decision

1. The appeal is dismissed.

Main Issues

2. 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 of the Green Belt;

   iii) The effect of the proposal on the character and appearance of the area; and

   iv) If the scheme 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

3. No 1 is a modest 2 storey end of terrace dwelling. The appeal site comprises the appeal property and its garden, including a gravelled area between the property and the road which is used for parking. It is in the village of Hedley-on-the-Hill which is washed over by the Green Belt.

4. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework states that the

construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of listed exceptions.

5. Policy NE7 of the Tynedale District Local Plan Adopted April 2000 (the LP) sets out that the construction of new buildings in the Green Belt will only be acceptable in a limited number of circumstances, including proposals for the limited extension, alteration or replacement of existing dwellings. Policy H20 of the LP sets out that extensions to residential properties in the Green Belt will not be permitted where the proposal would result in disproportionate additions over and above the size of the original building.

6. Although the LP pre-dates it, Policies NE7 and H20 are 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.

7. The Framework does not define 'disproportionate'. However, the Council's Supplementary Planning Guidance: Extensions to dwellings in the open countryside (Policies H20 and NE7) Adopted September 2002 (the SPG) sets out that extensions to dwellings in the Green Belt should not generally increase the volume of the original dwelling by more than 33%.

8. The precise dimensions of the original dwelling have not been provided and there is some dispute between the parties, with the appellant suggesting that there is less than 60sqm of floorspace while the Council considers that the figure is closer to 80sqm. Whichever figure is used in the calculation, the addition of approximately 60 sqm of floor space would nevertheless result in a significant increase in the size of the property. While the SPG does allow some flexibility in the application of the guidance, an increase in the size of the original building by more than 75% would be clearly disproportionate.

9. I note the suggestion that the proposed extension should be considered in the context of the larger terrace. However, for the purposes of the Framework, the building is the appeal property. In any case, the policies in the LP and the SPG relate to extensions to dwellings and not to entire terraces.

10. 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 and it would therefore conflict with the development plan including Policy NE7 of the LP and the policies in the Framework that protect the Green Belt.

Openness of the Green Belt

11. 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.

12. The appeal site is an area of hardstanding used for car parking between the appeal property and the road. Therefore, the proposal would not result in a spatial loss of openness.

13. As a result of the orientation of the terrace, the gable end of No 1 faces the road and the appeal site is therefore in a prominent roadside location. The proposal would be visible in its entirety from locations in the surrounding area.

While it would not project forward beyond the building lines of the properties to either side along Main Road, it would nevertheless be a substantial increase in the bulk of built development in this location.

14. Approaching from either direction along the road, the proposal would be clearly visible and it would obstruct the views of the open countryside beyond the village. Therefore, notwithstanding that the proposal would not encroach into the open countryside, there would be a significant visual impact.

15. The appeal site is in the Green Belt and the proposal would therefore result in a small loss of openness of the Green Belt in this location. It would conflict with policy NE14 of the LP which requires, among other things, that the proposed development does not have a materially greater impact than the existing on the openness of the Green Belt.

16. Evidence has been provided which indicates that the appeal site was previously developed land (PDL). In this respect, Paragraph 145 g) of the Framework is clear that the redevelopment of PDL in the Green Belt is only acceptable in certain circumstances, including where it would not have a greater impact on the openness of the Green Belt than the existing development. In this case, the proposal would have a greater impact on openness. Consequently, it would not meet the exception in Paragraph 145 g).

Character and appearance

17. The terrace of which No 1 forms part is formed of similar properties constructed in stone with slate roofs. The proposed extension would continue the building lines of the 2 storey front and rear elevations of the terrace and it would be the same height as the host property. It would be finished in materials to match. Consequently, it would be in keeping with the prevailing form of the terrace. It would not harm the character and appearance of the surrounding built environment or the street scene.

18. However, while it would not result in the creation of an overly large dwelling, the extension would be a disproportionate increase in the size of No 1. Notwithstanding that it would respect the built form of the terrace, it would not respect or relate well to the host property. It would be an overly large addition that would not be subordinate and it would overwhelm the appeal property.

19. I therefore find that the proposal would harm the character and appearance of the host property. In this respect, it would conflict with Policies BE1 of the Tynedale Local Development Framework Core Strategy Adopted October 2007 and Policies GD2, H20 and H33 of the LP. These require, among other things, that development should maintain and enhance distinctive local character, that it should be appropriate and sympathetic to the character of the original building, and that it should not substantially increase its size.

Other considerations

20. No 1 is a small dwelling with limited internal living accommodation and relatively steep stairs. The appellant's desire to create enhanced internal living space is therefore understandable. Although planning permission was granted in 2008 for the construction of a 2 storey side extension and front porch, it was not implemented as it would not have provided the appellant with satisfactory living accommodation. While that permission is lapsed and it is not therefore a fallback position, it does demonstrate that a proposal of a similar scale would

be likely to be acceptable. While this might be smaller than the appellant would like, there is little before me to demonstrate that, in combination with an improved internal layout, it would not deliver an acceptable standard of living accommodation. The size of the property does not therefore justify the appeal scheme and this is a matter that carries limited weight in my assessment.

21. While I accept that the property failed to sell when it was marketed in the past, there is little evidence before me to indicate that it would not currently attract a buyer. In any case, the Planning Practice Guidance advises that planning is concerned with the use of land in the public interest. Consequently, this is a matter that carries minimal weight in my assessment.

22. The proposal has received support from several third parties, including neighbours. I have had regard to the representations, including in respect of the benefit to the appearance of the area and to the appellant. However, on the basis that there are likely to be alternative proposals that would deliver similar benefits while avoiding the harm to the Green Belt, the support for the scheme is a matter that carries limited weight in my assessment.

23. The proposal would not result in adverse impacts on the living conditions of occupiers of neighbouring residential properties. However, this is a requirement of the development plan and it does not weigh in favour of the scheme.

24. My attention has been drawn to properties elsewhere in the village that have been extended previously. Full details of those schemes are not before me and I cannot be certain that they are directly comparable to the appeal scheme or that they were considered in the same policy context. Planning permissions elsewhere are not therefore factors in the scheme's favour.

Green Belt balance

25. I have concluded that the proposed development would be inappropriate development in the Green Belt which is, by definition, harmful. It would result in a small loss of openness of the Green Belt. The Framework advises that substantial weight must be given to any harm to the Green Belt. While the proposal would not result in harm to the character and appearance of the terrace or the area, it would be detrimental to the character and appearance of the appeal property.

26. In this case, 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

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

Sarah Manchester

INSPECTOR