



Appeal Decision

Site visit made on 2 December 2019 by S Watson BA(Hons) MSc

Decision by P J Davies BSc (Hons) MA MRTPI

An Inspector appointed by the Secretary of State

Decision date: 22 January 2020

Appeal Ref: APP/K0425/D/19/3237276

The Studio, Piggotts Hill, North Dean HP14 4NF

- 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 M and A Didizian and Rice against the decision of Wycombe District Council.
 - The application Ref 19/05302/FUL, dated 21 December 2018, was refused by notice dated 1 July 2019.
 - The development proposed is demolition of existing conservatory and erection of replacement single storey extension, together with first floor extension, fenestration alterations, new window openings, and provision of external timber cladding.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing conservatory and erection of replacement single storey extension, together with first floor extension, fenestration alterations, new window openings, and provision of external timber cladding at The Studio, Piggotts Hill, North Dean HP14 4NF in accordance with the terms of the application, Ref 19/05302/FUL, dated 21 December 2018 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed: Nos J855-16 P100; J855-16 P101; e 01; pl 01.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials specified in the application form and shown on plan No. e 01.

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 Matter

3. Since the application was determined by the Council, the Wycombe District Local Plan (LP) was adopted in August 2019. This is therefore the development plan for the purposes of this appeal.

Main Issues

4. The appeal site is located within the Metropolitan Green Belt. Accordingly, the main issues in this case are:
 - 1) Whether the proposal would be inappropriate development in the Green Belt, having regard to the revised National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - 2) the effect on the openness of the Green Belt.

Reasons for the Recommendation

5. Paragraph 143 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
6. Subject to a number of exceptions, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The listed exceptions are set out in Paragraph 145 of the Framework and include 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. LP Policy DM43 is consistent with the Framework and expands on the above exception. It clarifies that an extension to a dwelling will only be considered appropriate if it satisfies one or more of several conditions, including that where the volume of the original dwelling is between 240 and 720 cubic metres, the total volume of the resulting building is no more than the volume of the original building plus 50%. I note that the policy refers to 'original dwelling' whereas the supporting text refers to 'original building'. Nonetheless, given that the policy clearly stipulates 'original dwelling' I am satisfied that references to 'building' thereon are made in the context of a 'dwelling'.
8. The development would include a single storey extension at the rear of the property which would replace, and enlarge upon the footprint of the existing conservatory, and a first-floor extension over the single storey porch to provide an additional bedroom.
9. I note that there is a disagreement over the size of the original building and the scale of the increase over and above this original size. From the evidence it is clear that the building had a mixed residential and employment use for some time, at least as far back as 1971 when planning permission was granted for a flat conversion above the studio. The existing plans submitted with a planning application in 1999 indicate a four-bedroom unit contained primarily on the first floor with kitchen and toilet facilities on the ground floor. The 1999 permission included a two-storey extension to the west of the building providing accommodation on both floors, with the floorspace of the studio remaining broadly the same, but overall becoming a more subordinate entity by comparison. On the above basis, the original dwelling was clearly established in at least 1971. Moreover, the historical plans indicate internal doors between the two uses suggesting that they were intrinsically linked and did not operate independently. I do not therefore accept that the 'original dwelling' came into

being in 2014, when permission was granted for the use of the whole property as a dwelling. It is therefore my view that the whole building as it existed in 1971 should be considered as the 'original dwelling' for the purposes of LP Policy DM43.

10. In the above circumstances, the appellants calculate that the proposal would result in a 47.2% increase in the volume of the original building. The Council's calculations are based on the original dwelling and arrive at a figure of 60.9%. The appellants refer to detailed calculations being provided to the Council, but these have not been submitted with the appeal, and neither party has provided me with any detailed information or a breakdown of how the figures were reached. Even so, I do not consider that a conclusion on disproportionateness can be reached on mathematical calculations alone. In this case, the proposed extensions would be physically contained within the principal elevations of the dwelling. They would infill small spaces and not extend beyond the outer footprint or walls of the dwelling. Indeed, they would be minor and barely noticeable additions to the existing building that would not fundamentally alter its scale. Therefore, I do not consider that the proposal would result in a disproportionate addition to the original building.
11. Paragraph 133 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with permanence. In the light of my findings above, I consider that the proposal would have no material impact on the openness of the Green Belt.
12. I conclude that the proposal would not be inappropriate development and it would not harm the openness of the Green Belt. It therefore complies with LP Policy DM43 and the Framework.

Conditions

13. I have considered the Council's suggested conditions against the advice set out in the Framework and the Planning Policy Guidance. I have amended some of the suggested wording to reflect this advice. I find that to ensure clarity a condition is necessary requiring that the development is carried out in accordance with the approved plans. Moreover, in the interests of the character and appearance of the building, a condition is required to ensure that the specified external materials are used in the development.

Conclusion and recommendation

14. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed.

P J Davies

INSPECTOR