
Appeal Decision

Site visit made on 7 January 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/P1805/D/19/3236778

23 Woodgate Way, Belbroughton DY9 9TL

- 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 James Joyce against the decision of Bromsgrove District Council.
 - The application Ref 19/00933/FUL, dated 9 July 2019, was refused by notice dated 3 September 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of the proposal from the Council's decision notice. It adequately and simply describes it instead of the much longer and detailed description given on the application form.

Main Issue

3. The main issues in this appeal are:
 - 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;
 - The effect on the openness of the Green Belt; and
 - 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

4. The appeal property is a semi-detached two storey dwelling located within the village of Belbroughton. The property has been extended in the form of two storey and single storey side and rear extensions. It benefits from a large rear garden. Next door property No 25 Woodgate Way has been extended and includes a single storey rear extension along the boundary with the appeal site. The site lies within the Green Belt.

Whether the proposal would be inappropriate development

5. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate in the Green Belt save for a number of specified exceptions. One such 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. The Framework does not set out the definition of 'disproportionate additions'.
6. Part c) of Policy BDP4.4 of the Bromsgrove District Plan (2017) (BDP) states that extensions to existing dwellings up to a maximum of 40% increase of the original dwelling, or increases up to a maximum total floor space of 140m² (original plus extension(s)) would not be inappropriate development provided that the scale of development has no adverse impact on the openness of the Green Belt.
7. The dwelling was extended in 2007 under planning permission (B/2007/0080) which, according to the Council, has increased the total cumulative floor space to approximately 169.6m² equating to a 63% increase of the size of the original dwelling. Thus, the existing building exceeds the numerical limits stated within Policy BDP4.4 of the BDP.
8. The proposal would further increase the total floor space to approximately 185.6m² and would result in an 78% increase of the size of the original dwelling. This would result in a building with a significantly greater floor space than prescribed under the policy. As such, the proposal would result in disproportionate additions over and above the size of the original building.
9. I therefore conclude that the proposal would represent inappropriate development as set out in the Framework and would be contrary to Policy BDP4.4 of the BDP.

The effect on openness

10. The Framework states that one of the essential characteristics of the Green Belt is its openness. Openness is the absence of development notwithstanding the degree of visibility of the land in question from the public realm. Openness has both spatial and visual aspects.
11. I acknowledge that the proposal would not be visible from within the surrounding area and would not significantly affect the amount of garden land available. However, in terms of Green Belt impact the proposal would further introduce built form at the site and extend the footprint of the already substantially extended dwelling.
12. As such, I find that there would be a loss of openness of the Green Belt and would be contrary to the aims and objectives of the Framework.

Other considerations

13. The appellant has indicated that the proposal would improve light to the rear of the property by bringing part of the ground floor in line with the next door property. This is a personal benefit of the proposal, carrying limited weight.

14. The appellant has indicated that the next door property has been substantially extended and that considerable development has taken place within the village. I have not been made aware of the individual circumstances that led to them being built. In any case, each application and appeal must be considered on its own merits.

Conclusion

15. In line with the Framework the proposal would be inappropriate development in the Green Belt. It would also result in a loss of openness. I attach substantial weight to this harm.
16. The other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
17. For the reasons set out above the appeal is dismissed.

B Thandi

INSPECTOR