



Appeal Decision

Site visit made on 25 February 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2020.

Appeal Ref: APP/K0425/D/19/3238897

Orchard House, Risborough Road, Terrick HP17 0UB

- 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 and Mrs Mark and Lyn Perkins against the decision of Wycombe District Council.
 - The application Ref 19/06677/FUL, dated 10 July 2019, was refused by notice dated 27 September 2019.
 - The development proposed is for a single storey rear infill extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt. Accordingly, 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; and
 - iii) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

3. The appeal property is a detached, two-storey house situated within the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB). The appeal proposal is for a single-storey rear extension, that would infill a patio area between two existing single storey additions. The Framework states that a local planning authority should regard construction of new buildings as inappropriate in the Green Belt. This is subject to exceptions listed in the Framework which include extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. Policy DM43 of the Local Plan¹ contains detailed guidance about the approach that the Council will take in considering such proposals. Amongst other things

¹ Wycombe District Local Plan, Adopted August 2019

the extension of a dwelling will only be considered as not inappropriate development in the Green Belt where the volume of the original dwelling is between 240 and 720 cubic metres (m³), the total volume of the resulting building is no more than the volume of the original building plus 50%.

5. The Council state that the volume of the original house was 340m³ and that previous extensions have resulted in the dwelling now measuring 605.71 m³, which the appellant does not dispute. This is an increase significantly in excess of 50% and hence the proposed extension would exceed this further.
6. I recognise that the proposed extension would not project beyond the existing rear building line. It would also be subordinate to the rear façade in terms of design, while mirroring the form and material finishes of the existing additions it would adjoin. However, assessing proportionality is primarily an objective test based on size relative to the original building. The Council's evidence on this matter is that when combined with previous extensions to the original building, the proposed development would result in an increase of 84%, which is a substantial uplift that results, in my view, in disproportionate additions to the original dwelling in the context of the Framework, and well in excess of the 50% allowed for by Policy DM43.
7. I conclude therefore that the proposed development would be inappropriate development in the Green Belt and, in this regard, it would conflict with Policy DM43 of the Local Plan and with the Framework.

Openness

8. The Framework indicates that openness is an essential characteristic of the Green Belt. The Supreme Court has recently held that a consideration of openness in any given case is a matter for the decision maker and may or may not include a consideration of the visual aspect of openness. For the purposes of this appeal, I have considered both the visual and spatial aspects of openness.
9. The rear of the host building is surrounded by hedgerow which screens views of it from windows and garden areas of the neighbouring dwellings. A rear boundary hedge would also screen views of the proposed extension from the fields to the rear.
10. Nonetheless, the proposal would introduce built form into a part of the site which is currently undeveloped and as such would inevitably affect the spatial openness of the site. However, in isolation, the loss of openness would be small.

Very Special Circumstances

11. The appeal proposal would provide useful additional living space for the appellants, while ensuring that neighbouring living conditions and the character and appearance of the dwelling and surrounding area are unharmed. The Council indicate that, the proposal, would also present no harm to the AONB and highway safety, a view I have no reason to disagree with. However, in this case the benefit to the living conditions of the occupiers of the appeal property and the absence of harm identified are not sufficient to outweigh the harm the proposed development would do to the essential characteristics of the Green Belt. Therefore, I conclude that evidence has not been presented to

demonstrate that very special circumstances exist to clearly outweigh the harm to the Green Belt.

Conclusion

12. In summary, therefore, the appeal proposal would be inappropriate development in the terms set out in the Framework and lead to a small loss of openness to the Green Belt. These issues are not outweighed by the considerations advanced by the appellant and in the wider evidence so as to amount to very special circumstances. Therefore, for all the reasons given I conclude that the appeal should be dismissed.

RE Jones

INSPECTOR