



Appeal Decision

Site visit made on 4 February 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/P1805/D/19/3240284

Foxhaven, 248A Old Birmingham Road, Bromsgrove, Worcestershire B60 1NU

- 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 Geoffrey Vale against the decision of Bromsgrove District Council.
 - The application Ref 19/00737/FUL, dated 3 June 2019, was refused by notice dated 11 September 2019.
 - The development proposed is provision of a new porch entrance and door.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has questioned whether the proposal requires planning permission. However, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to have the matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by my determination of this appeal.

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;
 - The effect of the development on the character and appearance of the host property; and
 - 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 the proposal would be inappropriate development

4. 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'.
5. Part c) of Policy BDP4.4 of the BDP, however, 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.
6. The dwelling was extended in 2017 under planning permission (17/01544/FUL) which has increased the size of the original dwelling by 42%. Thus, the existing building currently exceeds the numerical limits stated within Policy BDP4.4 of the BDP.
7. The proposal would further increase the total floor space albeit by a small amount of approximately 3.9m². Notwithstanding the modest increase in floor area the proposal would result in a building with a 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.
8. 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

9. 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.
10. I acknowledge that the proposal would not be visible from within the surrounding area or overlook neighbouring fields. 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.
11. As such, I find that there would be a loss of openness of the Green Belt and this would be contrary to the aims and objectives of the Framework.

Character and appearance

12. The appeal property is a two storey converted barn that forms part of an L shaped group of converted buildings at the Old Hazy Hill Farm. The barn has been extended to the side in the form of a coach house style extension. Aside from the introduction of roof lights and modern glazing the barn retains its traditional agricultural form and appearance.

13. The Framework makes it clear at paragraph 197 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-heritage assets it is necessary to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
14. The proposal would involve the construction of a porch on the southern elevation of the host property. The domestic appearance of the porch proposed would not complement the host property but instead jar against its traditional agricultural form and would appear as an incongruous feature. Consequently, the proposal would adversely affect the character and appearance of the host property and would undermine its historic significance.
15. As such, it would be contrary to Policy BDP20.2 of the Bromsgrove District Plan (2017) (BDP) as it would not sustain or enhance the significance of the historic environment. It would also be contrary to section 3.10 of the Bromsgrove High Quality Design Supplementary Planning Document (2019) which requires extensions to converted rural buildings to reflect the form, character and utilitarian nature of the building.

Other considerations

16. The appellant has indicated that the proposal would improve access into the property which is currently through the garage. However, this is a personal benefit of the proposal, carrying limited weight.
17. The appellant has indicated that nearby properties have been substantially extended but 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.
18. Finally, the appellant's concerns regarding how previous applications were processed is not a matter for me in this appeal.

Conclusion

19. The proposal would be inappropriate development in the Green Belt, as set out in The Framework. It would also result in a loss of openness. I attach substantial weight to this harm. In addition to this it would also cause harm to the character and appearance of the host property.
20. 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.
21. For the reasons set out above the appeal is dismissed.

B Thandi

INSPECTOR