
Appeal Decision

Site visit made on 19 May 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2020

Appeal Ref: APP/P0240/D/19/3241520

40 Castle Hill Road, Totternhoe, Bedfordshire LU6 1RG

- 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 Aeleshia Kelly against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/02796/FULL, dated 26 August 2019, was refused by notice dated 30 October 2019.
 - The development proposed is demolish existing garage and outbuilding and erect a two storey and single storey rear extension, replace first floor front window with new window.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Pre-Submission version of the emerging Central Bedfordshire Local Plan 2015-2035 (the CBLP) was submitted to the Secretary of State in April 2018. The Council has indicated that the CBLP is at a stage that attracts limited weight, and I have no reason to disagree.

Main Issues

3. The main issues are:
 - Whether or not the proposal would be inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt; and
 - If the proposal were to be inappropriate development, whether or not the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

4. The National Planning Policy Framework (February 2019) (the Framework) sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, unless one of several stated exceptions apply. These exceptions 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.

5. Saved Policy H13 of the South Bedfordshire Local Plan Review (January 2004) (the SBLPR) confirms that extensions shall only be permitted if modest in scale and if not resulting in disproportionate cumulative additions over and above the size of the original dwelling. The Central Bedfordshire Design Guide (2014) (the CBDG) stipulates that, in order for extensions to be considered as proportionate, the original building should not be added to by more than 60% and that the impact in terms of floorspace, volume, massing and design will be considered.
6. The appeal site contains a small outbuilding and separate garage, both of which are intended to be demolished as part of the scheme. It is not disputed by the Council that the outbuilding, which is understood to have once been used as a coal shed, constitutes an original feature and can legitimately be considered to make up part of the original dwelling. Following inspection, I have no reason to disagree.
7. The existing garage is constructed, in-part, from metal sheeting and glazing. It is a building of relatively simple form and makeup. From inspection, I observed some outward signs of weathering/rusting, which would indicate that the garage has been in-situ for a not insignificant period of time. Nevertheless, it is my understanding that the Council's plotting records indicate that the garage was not put in place when the property was first constructed. Indeed, the garage does not have an obvious association to the house in terms of its form, appearance and materials of construction. Whilst the appellant considers the garage to be of an age that should allow it to be taken into consideration as forming part of the original footprint of the property, no clear evidence has been produced to indicate that the garage formed part of the appeal property as originally built. I shall thus proceed on the basis that it did not.
8. The Council has produced footprint and floor space calculations in the interests of demonstrating the extent by which the appeal property would be extended over and above its original form. I am satisfied that these calculations, which factor in an existing front porch addition to be retained, are broadly accurate and offer reliable approximate findings in cumulative percentage terms. Thus, footprint and floorspace increases are proposed of approximately 90% and 74% respectively. Both figures are comfortably in excess of the 60% benchmark stipulated in the CBDG.
9. The two-storey rear extension hereby proposed would provide a substantial addition to the appeal property. Indeed, it would protrude a notable distance to the rear and would cover more than half the existing property's width. Furthermore, the extension's roof would closely align with the existing main roof's eaves and ridge heights. Works of considerable volume and mass are thus proposed, and the scheme would result in extensions cumulatively amounting to disproportionate additions over and above the size of the original dwelling.
10. For the above reasons, the proposal would be inappropriate development in the Green Belt. The proposal conflicts with saved Policy H13 (Extensions and Replacement Dwellings in the Green Belt) of the SBLPR and with the Framework in so far as its policies affirm that inappropriate development is, by definition, harmful to the Green Belt.

11. I note that Planning Policy Guidance Note 2: Green Belts is referred to in the Council's reason for refusing planning permission. However, this was superseded by the Framework and is of little relevance here.

Effect on the openness of the Green Belt

12. The proposal's effect upon the openness of the Green Belt would be tempered to some degree by virtue of the relatively discreet rear location of the proposed works. Nevertheless, the development would still be visible from Castle Hill Road. Furthermore, openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. The proposal would introduce development of sizeable footprint, height and volume and would inevitably result in some loss of openness.
13. For the above reasons, the proposal would cause harm to the openness of the Green Belt. The proposal conflicts with saved Policy H13 of the SBLPR and with the Framework in so far as these policies require regard to be given to the need to maintain the openness of the Green Belt and confirm that openness is an essential characteristic of Green Belts.

Other considerations

14. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
15. I acknowledge the presence of other similarly designed rear extensions in proximity to the site. Whilst I accept that the proposed works would be sympathetic to the character and appearance of the area, very special circumstances have not been demonstrated to outweigh the significant harm I have identified to the Green Belt (including harm derived from loss of openness).
16. For the avoidance of doubt, the proposal has been considered upon its own individual merits in line with the particular site circumstances to hand. The proposed development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

17. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR