



Appeal Decision

Site visit made on 8 June 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/P0240/W/19/3243525

Fiveacres, Slapton Road, Little Billington, Bedfordshire LU7 9BP

- 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 Green against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/01455/FULL, dated 1 May 2019, was refused by notice dated 9 September 2019.
 - The development proposed is conversion of detached garage into 3 bedroom dwelling along with raising the height of the roof and provision of a rear dormer window.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Reference has been made to an emerging Central Bedfordshire Local Plan, which is at an early stage towards adoption. As such, it may be subject to change and so I attach limited weight to its policies in my assessment.

Main Issues

3. The appeal site is located within the Green Belt and so the main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy; and
 - the effect on the character and appearance of the area; and
 - if the development would be inappropriate, whether 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 in the Green Belt

4. I have been referred to no Green Belt policies from the South Bedfordshire Local Plan Review 2004 (LP). However, both main parties refer to paragraph 145 of the Framework which defines the construction of new buildings as being inappropriate development in the Green Belt. As an exception, paragraph 145 c) of the Framework identifies the extension or alteration of a building as

not inappropriate development, provided it does not result in disproportionate additions over and above the size of the original building.

5. The Central Bedfordshire Design Guide 2014 (DG) includes a guiding principle that to be considered as proportionate, the original building should not be added to by more than 60%¹. However, the DG does not form part of the development plan and the guiding principle is under a heading 'Extensions to Dwellings within the Green Belt' and so is not strictly applicable to the extension of the garage. While it was referred to in a Council officer's report relating to the conversion of Bluebell Barn², for the above reasons I consider the DG guiding principle on its own should not be determinative in deciding whether the proposal includes disproportionate additions.
6. The garage as it stands represents the original building and is single storey with a shallow pitched roof. The proposal would not alter the building's footprint but it would introduce a steeper pitched roof which would increase its height by about 46%. The appellant states the proposal would lead to a 27% increase in the volume of the building and both the height and volume increases would fall below the DG guiding principle maximum of 60%. However, the proposal would introduce a first floor element that would increase the building's floorspace by about 60% and would significantly enlarge its roof and overall bulk. As such, the proposed extensions would constitute disproportionate additions to the size of the garage and so would fail to comply with the exception as set out under paragraph 145 c) of the Framework. The aforementioned Bluebell Barn development is not directly comparable to the appeal proposal as it includes only a small increase in the height of the building. As such, this decision fails to affect my view on the issue.
7. Paragraph 146 d) of the Framework defines the re-use of buildings as not inappropriate development provided it preserves openness and does not conflict with the purposes of Green Belt policy. The increase in the height of the building would lead to a spatial loss of openness above the garage. Also, the higher roof would be seen from the road and the nearby footpath and so it would cause a visual loss of openness of the site. The proposed removal of part of the existing fence would improve openness but it would also create views of the proposed parking area. It is likely that the creation of a new residential unit and loss of existing garage space would result in additional cars parking on the site which would impinge on its visual openness.
8. Overall, the proposal would not preserve the Green Belt's openness and so it would fall outside the definition as set out under paragraph 146 d) of the Framework. As it would not comply with any of the exceptions as set out under paragraphs 145 or 146 of the Framework, I conclude the proposal would represent inappropriate development in the Green Belt.

Character and appearance

9. The appeal site contains a garage, a parking area and access drive that can be seen from the road and footpath. Despite the nearby network of fields, the site lies in a line of dwellings that provide the area with a residential character.
10. The proposal would not be incongruous amongst the various styles of nearby houses. The proposed access and parking area would be seen from the road

¹ Paragraph 7.03.29 of the Central Bedfordshire Design Guide 2014.

² Council reference number CB/15/1660/FULL

and footpath but would be on land that is surfaced and which can already accommodate vehicles. Parking and paraphernalia associated with the proposal would be in keeping with the site's current use as part of Fiveacres' garden.

11. For these reasons, the proposal would not cause harm to the character and appearance of the area. Consequently, and in this regard, it would accord with policy BE8 of the LP and the Framework which aim, amongst other things, to ensure developments complement and harmonise with their surroundings.

Other considerations

12. No objections are raised in respect of highway safety, the accessibility to services and the quality of internal and external living space that would be provided. The proposal would not harm the living conditions of occupiers of other properties and would include an appropriate drainage system. Acceptability in these regards is a neutral factor in my assessment.
13. As the fence lies away from the footpath, its removal would not reduce any significant sense of enclosure and so I attach little weight to this benefit. The proposal would add to the housing stock and would create employment during construction. Also, future residents would support local services. However, the benefits in all of these regards would be modest as only 1 dwelling is proposed.

Green Belt balance

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. These would only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In carrying out the balancing exercise, substantial weight is to be given to any harm caused to the Green Belt.
15. As well as harm by reason of inappropriateness, the proposal would cause a loss of openness and so would adversely impact on one of the essential characteristics of the Green Belt. The harm caused in this respect attracts moderate weight. The development would not harm the character and appearance of the area and so this is a neutral factor in my assessment.
16. On considering all relevant matters, I conclude that the benefits of the appeal scheme and all other considerations would not clearly outweigh the harm the development would cause to the Green Belt and its openness. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the proposal would conflict with the Framework which, amongst other things, seeks to resist inappropriate development in the Green Belt unless very special circumstances exist and to preserve its openness.

Conclusion

17. For these reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR