
Appeal Decision

Site visit made on 21 July 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/P1940/D/20/3245166

The Lodge, Wellingrove, Woodcock Hill, Rickmansworth WD3 1PT

- 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 & Mrs C Cristea against the decision of Three Rivers District Council.
 - The application Ref 19/1862/FUL, dated 26 September 2019, was refused by notice dated 26 November 2019.
 - The development proposed is a side extension to roof to connect garage to main dwelling at roof level.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the development description in the appeal form in the banner heading above, as this more accurately reflects the development being sought.

Main Issues

3. The main issues are: (a) whether or not 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; (b) the effect on openness; and (c) if it is inappropriate development, 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

4. The appeal site comprises a large two storey detached dwelling set within spacious grounds. It is accessed off a private lane that also serves a small group of detached dwellings. The property has recently been extended to its side and rear to include single storey and two storey additions. The proposal would involve a roof extension that would extend from the side of the dwelling and link into the existing garage. This would connect the existing bedroom above the garage to the main dwelling and provide some additional floor space for the room.

5. The appeal site is located in the Metropolitan Green Belt. Paragraph 145 of the Framework sets out that new development within the Green Belt should be regarded as inappropriate, subject to defined exceptions, and paragraph 143 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145(c) of the Framework sets out that the extension or alteration of a building is not inappropriate development where it does not result in disproportionate additions over and above the size of the original building.
6. Policy CP11 of the Local Development Framework Core Strategy 2011 (the Core Strategy) sets out 'a general presumption against inappropriate development that would not preserve the openness of the Green Belt or which would conflict with the purposes of including land within it'. Policy DM2 of the Development Management Policies Local Development Document 2013 (the DMP) attempts to define inappropriate development by considering the impact of the addition on the site and surroundings.
7. The policies of the Core Strategy and the DMP predate the Framework. The presumption against inappropriate development in the Green Belt contained in Policies CP11 and DM2 are broadly in line with the Framework, which innately considers the openness of the Green Belt and the purposes of including land within it as part of the definition of inappropriate development. I therefore attach significant weight to these policies.
8. In order to determine if an extension is a disproportionate addition, Policy DM2 considers the building's proximity and relationship to other buildings, whether it is already or would become prominent in the setting, and whether it preserves the openness of the Green Belt.
9. The supporting text to policy DM2 refers to the Extensions to Dwellings in the Green Belt Supplementary Planning Guidance (the SPG). This document is some years old and pre-dates the current Development Plan and the Framework. Nonetheless, it was formally adopted in August 2003, and is specifically referred to in the current Development Plan. The SPG provides helpful guidance with regard to disproportionate additions. For these reasons, I consider the SPG to provide relevant guidance to which I attach considerable weight.
10. The SPG sets out that extensions resulting in a cumulative floorspace of over 40% compared with the original dwelling will normally be unacceptable. The original appeal building has a floorspace area of approximately 179m².
11. The Council states that when taken together with the previous extensions to the dwelling, the proposed development would result in a cumulative increase in floorspace of 93% over and above that of the original dwelling. Those figures have not been disputed by the Appellant.
12. Notwithstanding this significant numerical increase, I recognise that assessing proportionality is primarily an objective test based on size, and that floorspace is not the only possible measure of the degree of change. It is instructive to compare any changes to the original physical size and scale of a building, including the degree of bulk or mass that might be added.
13. The proposed roof extension would be marginally set down from the highest part of the dwelling and would reflect its roof design and incorporate material

finishes to match. However, it would link the dwelling's roof with that of the garage and the amalgamation of the two roof structures would elongate the roof of the dwelling when viewed as a whole. The ridgeline of the proposal, would in part, be higher than that of the garage. This would in turn have the effect of considerably increasing the mass and bulk of the original dwelling, and the evidence before me indicates that, when combined with those previous extensions, the proposed development would result in an increase in floorspace of 93% compared to that original building. Cumulatively, as a result of the proposed development the extensions to the property would represent a substantial uplift in floorspace and, also having regard to their cumulative scale and massing, in my view, would comprise a disproportionate addition over and above the size of the original building.

14. The appellant has referred to the proposed extension's modest floorspace and that it would not be significant in the context of the overall floor area. However, Green Belt policy requires an assessment of extensions on the original building and cumulatively these would result in disproportionate additions to the original dwelling.
15. I have been referred to cases in which the Council approved extensions that were in excess of the SPG's cumulative floorspace allowance of 40%. Those, the appellant suggests point to the Council's flexibility in allowing cases that exceed that figure. However, I note from the details submitted, that the Council, in approving these schemes, applied a provision of the SPG that allows smaller dwellings to exceed the cumulative allowance. Based on its original floorspace, this exception would not apply to the appeal dwelling, and therefore the examples given are materially different. In any event, I have considered the current proposal on its individual planning merits, and for the reasons set out above, I have concluded that it would amount to a disproportionate extension, when assessed against the size of the original dwelling.
16. I conclude therefore that the proposed development would be inappropriate development in the Green Belt having regard to the Framework, and to Policy CP11 of the Core Strategy and Policy DM2 of the DMP. Inappropriate development, according to the Framework, is harmful to the Green Belt by definition, and should not be approved except in very special circumstances.

Openness

17. The Framework at paragraph 133 states that the essential characteristics of Green Belts are their openness and their permanence, and a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The consideration of openness can have a spatial and visual dimension and for the purposes of this appeal, I have considered both of these aspects.
18. The proposed extension would not extend the width or length of the property or alter its footprint, however, by infilling the existing space above the ground floor link between the dwelling and attached garage, this would add significantly to the bulk and mass of the dwelling. This would result in a loss of spatial openness at first floor level.
19. I acknowledge that views of the proposed extension would be limited from the public areas, although the visual change to the building's mass would be observed from the private driveway serving the other dwellings and would

further erode the visual openness of the Green Belt compared with present circumstances.

20. I conclude that the proposal would result in a small loss of openness to the Green Belt, contrary to national and local policy. This is a matter to which I attach moderate weight.

Other considerations

21. The introduction of bat boxes following the construction of the proposed extension could provide habitat opportunities for local bat populations. I consider that this is a biodiversity benefit of the scheme to which I give moderate weight in favour of the proposal.
22. No specific harm with regard to neighbouring living conditions, or the character and appearance of the dwelling and surrounding area has been referred to in the submissions. However, the absence of harm in those regards would be neutral, rather than a factor weighing in favour of the proposal.
23. The appellant has referred to a scenario that were the rear extensions on the property removed then the proposal would amount to being less than the 40% allowance considered acceptable by the SPG. However, I have no persuasive evidence of any intention to carry out those works. Therefore, such a scenario does not offer a compelling justification in favour of allowing the appeal and I have given this possibility little weight.

Green Belt Balance

24. I have concluded that the proposed extension would be inappropriate development that would conflict with national and local policy to protect the Green Belt. I have also found that it would give rise to a small loss of openness of the Green Belt, which would be harmful. The Framework requires substantial weight to be given to harm to the Green Belt. Weighed against that are the other considerations above. However, for the reasons given those would not clearly outweigh the harm I have identified.
25. There are no other considerations that clearly outweigh the presumption against inappropriate development in the Green Belt and the substantial weight that the Framework requires to be attached to such harm. The very special circumstances necessary to justify the proposal do not therefore exist.

Conclusion

26. For the reasons given above I conclude that the appeal should be dismissed.

R. E. Jones

INSPECTOR