



Appeal Decision

Site visit made on 20 July 2020 by Darren Ellis MPlan

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2020

Appeal Ref: APP/P1805/D/20/3254357

Dordale Green Cottage, Dordale Road, Belbroughton, Stourbridge, Worcs, DY9 0BA

- 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 Richard Kitson against the decision of Bromsgrove District Council.
 - The application Ref 20/00318/FUL, dated 4 March 2020, was refused by notice dated 4 June 2020.
 - The development proposed is the raising of roof and addition of dormer windows.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The appeal site is within the Green Belt and so the main issues are:
 - whether the proposal would be inappropriate development for the purposes of development plan policy and the National Planning Policy Framework;
 - the effect of the proposal on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether the proposal would be inappropriate development

4. The National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building. This is provided that the extension does not result in a disproportionate addition over and above the size of the original building. The Framework defines 'original building' as 'a building as it existed on 1 July 1948, or, if constructed after 1
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July 1948, as it was built originally.’ It does not however define ‘disproportionate’.

5. Policy BDP4 of the Bromsgrove District Plan 2011-2030 (adopted January 2017) (BDP) is consistent with the Framework in that it seeks to protect the Green Belt but allows limited extensions to existing dwellings. Policy BDP4 allows extensions to existing residential dwellings in the Green Belt, up to a maximum of 40% increase of the floorspace of the original dwelling provided that this scale of development has no adverse impact on the openness of the Green Belt.
6. The appeal property is a two-storey dwelling with both an attached and a detached garage, set in large grounds. The proposed development would see the roof of the attached garage raised and three dormer windows added to provide additional habitable rooms.
7. It is evident that the property has been previously extended. The Council asserts that the existing extensions have increased the floorspace of the original property by 75.51%, and that this increase in floorspace would raise that to be 95.24% including the proposed development. The appellant agrees that the property has been previously extended but contests these figures. Firstly, not accepting the increase as suggested by the Council and secondly contending that the proposals do not result in any additional floorspace but only raising the roof; suggesting that the existing floorspace is already there. I have no detailed evidence before me as to how these figures were calculated, therefore the exact increase in size from the original property is not certain. The email chain provided by the appellant and the included drawings do however provide some indication of the nature of the additions to the property.
8. The property also has an extant planning permission for a kitchen and sun lounge extension¹, which has been partially implemented and which could be built at any time and would further increase the size of the property. Although I have not been provided with details of the original property or the previous extensions, from the information I have I am satisfied that the previous extensions, extant planning permission and the proposed development would all combine to result in a significant enlargement from the original property. It has not been demonstrated that the enlargement from the original dwelling would be less than 40%, and so based on the evidence before me the proposed extension would, in my view, amount to a disproportionate increase above the size of the original building, hence conflicting with Policy BDP4 of the BDP and with the Framework. Even if I were to have accepted the appellant’s position that the existing extension does not add to the floorspace of the building and the Council’s overall calculations were incorrect, the Framework refers to not resulting in disproportionate additions over and above the size of the original building. Size is more than a function of floorspace and includes bulk, mass, and height. From the information before me I am satisfied, as a matter of judgement, that the additions to the original building would be disproportionate in the context of the Framework.
9. The proposal would therefore be inappropriate development which is, by definition, harmful to the Green Belt.

¹ Planning application ref. B97/0329

10. The appellant suggests that the dormer windows could be constructed without planning permission under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, whether or not the dormer windows are permitted development is not for me to consider in the context of an appeal made under s78 of the above Act. Nevertheless, even if the dormer windows did constitute permitted development, the raising of the roof would increase the size of the property which, for the reasons above, added to the other additions would create a disproportionate increase above the size of the original building.

Openness

11. Openness is an essential characteristic of the Green Belt. The Planning Practice Guidance states that openness is capable of having both spatial and visible aspects, so that both the visual impact of the proposal and its volume may be relevant.² While the proposal would not result in an increase to the footprint of the property, the visual bulk of the building would be increased by the extension and, although the increase would be modest, the proposal would result in a reduction in the openness of the Green Belt. Given the modest scale of the extension, this would cause limited harm to the openness of the Green Belt and is in addition to the harm by reason of its inappropriateness.

Other Considerations

12. I understand the appellant's desire to provide additional bedroom space to the family home, and I attach moderate weight to this matter.

Planning balance and Conclusion

13. The development causes harm to the Green Belt by way of its inappropriateness and to its openness, and the Framework establishes that substantial weight should be given to any harm to the Green Belt.
14. The Framework states that development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Although moderate weight is attached to the other considerations that are raised by the appellant, they do not clearly outweigh the totality of the harm I have identified above. Consequently, the very special circumstances necessary to justify the development do not exist.
15. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

D Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Kenneth Stone

INSPECTOR

² Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722