



Appeal Decision

Site visit made on 10 August 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2020

Appeal Ref: APP/W4705/D/20/3251908

Pye Bank Cottage, Tan House Lane, Wilsden, Bingley BD15 0BJ

- 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 Garry Hudson against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/00084/HOU, dated 10 January 2020, was refused by notice dated 18 March 2020.
 - The development proposed is proposed raising of the rear existing gable and forming new raised side gable.
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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 main issues are as follows:
 - i. Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - ii. The effect of the proposal on the openness of the Green Belt;
 - iii. The effect of the proposal on the character and appearance of the host property and the surrounding area; and
 - iv. If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Inappropriate Development

4. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension to a building will not be inappropriate

provided that it would not result in disproportionate additions over and above the size of the original building. Policy SC7 of the Local Plan for the Bradford District: Core Strategy Development Plan Document (2017) (CS) sets out the valuable role of the Green Belt and seeks its protection.

5. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. However, it does not specify what might be a disproportionate addition over and above the size of the original building. Similarly, I have not been referred to any policy in the Local Plan which stipulates what would constitute a disproportionate addition. As such, the matter requires a balanced judgement based on the facts of the case.
6. Although the dwelling is modest in size and there are larger adjacent properties, the key consideration is whether the existing and proposed extensions to the original building would be disproportionate. The Council highlights that the original house had a volume of approximately 241 cubic metres. I understand that planning permission was granted for a part two storey/ part one storey extension and a double garage¹. This extension has been constructed. The garage replaced an existing outbuilding and has also been built. The Council therefore consider that the built extension, excluding the garage, has already increased the size of the original dwelling by 30%.
7. The Council also state that the extension proposed has a volume of approximately 50 cubic metres and the combination of both the existing and proposed extension would increase the size of the dwelling by approximately 50% compared to the original dwelling. The appellant has not disputed these figures. The proposed extension, along with the existing extension, would result in a significant increase in the scale and massing of the building compared to the original dwelling. In effect, the combined effect would be an additional wing, projecting to the side and rear, covering three storeys. Therefore, having regard to the percentage increase and the apparent scale the scheme would result in a disproportionate addition over and above the size of the original building.
8. Accordingly, based on the evidence presented, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt having regard to the Framework along with Policy SC7.

Openness

9. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
10. Whilst views of the dwelling are limited from Tan House Lane, there is a public footpath adjacent to the dwelling. The western and southern elevations are particularly visible from the footpath and the increased height and bulk of the extension to the rear and side would be apparent from these vantage points. Thus, given the increase in scale and massing, the scheme would have a visual impact upon the openness of the Green Belt. Similarly, the proposal would also

¹ 03/01793/FUL

have a spatial impact, regardless of any views, because of the increase in bulk, scale and massing.

11. Consequently, having regard to the physical size of the proposal and its location, the development would have a detrimental effect on the openness of the Green Belt. As such the proposal would conflict with the purposes of Green Belt Policy, as stated in the Framework, to keep land permanently open.

Character and Appearance

12. The dwelling is part of a cluster of properties and the proposed development would be seen in the context of these buildings. There are variances between the dwellings in terms of their form, scale and massing. Due to land level differences, the appeal property sits higher than the dwellings to the east.
13. The appellant asserts that the scheme would comply with Policy DS1 which seeks to promote good design. Although Policy DS3 relates to urban character it is still relevant as it primarily aims to ensure that new development is appropriate to its context, and to create or reinforce a distinctive character.
14. The proposal would predominantly alter the southern and western elevations. The existing gable and the gables to the dwelling fronting Tan House Lane read as subordinate additions because their massing is in keeping with the host property. Although the roof ridge would be below the original dwelling and appropriate materials would be used, the extension would not appear as a subservient addition.
15. The scheme would add a significant amount of bulk which would result in a dominant gable which would appear three-storey in contrast with the two-storey host property and neighbouring two-storey dwellings. In addition, the eaves of the extension would be substantially higher than the eaves of the existing dwelling and the scheme would result in the development appearing out of proportion. At present, the western elevation has a degree of symmetry between the appeal property and Pye Bank Farm, albeit the subservient existing extension has to a small degree impacted this elevation. The proposal would considerably increase the massing of the western elevation and erode its symmetry. The land level difference would further exacerbate the proposals impact and the increase in scale would contrast with the host building and surrounding dwellings.
16. For these reasons, I find that the proposed development would be visually harmful to the character and appearance of the host dwelling and surrounding area. Consequently, the scheme would conflict with Policies DS1 and DS3 of the CS.

Other Considerations

17. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
18. The appellant states that initially the dwelling was one of the smallest within the cluster with only having one bedroom. They also assert that the scheme seeks to extend bedroom three which is currently small, provide space for a bathroom and improve natural lighting. In addition, the appellant highlights that investing in the housing stock should be encouraged and given weight. I do not doubt that the scheme would improve the living conditions for the

appellant and understand the importance of investing in the existing housing stock. However, although the house may not meet the needs of all potential occupants, particularly larger families, it provides comfortable, if modest accommodation. Personal circumstances will seldom outweigh more general planning constraints and whilst I appreciate the appellant's desire for more space I give little weight to those personal circumstances. In addition, given that the existing dwelling provides perfectly habitable accommodation in its present form the benefits arising from further investment are extremely limited.

Whether Very Special Circumstances Exist

19. The Framework identifies that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt. I have concluded that the development constitutes inappropriate development in the Green Belt and would cause harm to the openness of the Green Belt. This is a matter which carries substantial weight. Additional weight is given to the harm to the character and appearance of the host building and surrounding area. As cited above, the proposal conflicts with both national and local planning policy.
20. The arguments relating to the improved living conditions and investment in the housing stock are given little weight. The advanced considerations in support of the appeal whether taken individually or cumulatively, do not, on balance clearly outweigh the conflict with planning policies that seek to protect the Green Belt. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

21. For the reasons given above, the proposal would amount to 'inappropriate development' that would cause harm to the openness of the Green Belt and the character and appearance of the host dwelling and surrounding area. There are no very special circumstances to outweigh the harm caused in that respect. The development is contrary to the relevant policies of the CS and the Framework. There are no material considerations to outweigh the conflict with these policies.
22. For all of those reasons I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR