



Appeal Decision

Site visit made on 17 August 2020 by Ben Phillips BSc MSc

Decision by Andrew Owen MA BA(Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 17 September 2020

Appeal Ref: APP/P1805/D/20/3254558

66 Barkers Lane, Wythall B47 6BU

- 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 Mrs Sally Roberts against the decision of Bromsgrove District Council.
 - The application Ref 19/01434/FUL, dated 11 November 2019, was refused by notice dated 20 December 2019.
 - The development proposed is described as the increase in width of first floor dormer window by 800mm.
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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 located within an area of Green Belt. Accordingly, the main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the 'Framework') and relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way 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 for Recommendation

Whether Inappropriate Development

4. Policy BDP4 of the Bromsgrove District Plan 2011-2030 (2017) (DP) requires the Green Belt to be protected from inappropriate development. Paragraph 145 of the Framework establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt unless they fall within the list of exceptions set out in this paragraph. Part c) of this paragraph lists 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, as one such exception.

5. Criteria 4 of DP Policy BDP4 sets out that the local interpretation of proportionality is a maximum of '40% increase of the original dwelling' (or 'increases up to a maximum total floor space of 140m², provided that this scale of development has no adverse impact on the openness of the Green Belt').
6. There is no disagreement between the parties that the property has previously been extended and the Council measure this additional floorspace as over 40% of the original property, and over 140m². DP Policy BDP4.4 sets out that any proposed extensions above the identified thresholds will be viewed as inappropriate development. It is evident therefore that the existing property has already been extended to a disproportionate amount and as such, whilst the submitted plans show no additional floorspace would be created, the additional volume provided by the proposed dormer extension, whilst only measured at 1.3 cubic metres, further exceeds this limit and so must also be disproportionate over the original dwelling size.
7. In light of the above I conclude that the proposal would comprise a disproportionate addition over and above the size of the original building and would result in inappropriate development in the Green Belt, in conflict with DP Policy BDP4 and Paragraph 145 of the Framework as set out above. Paragraph 143 of the Framework says inappropriate development is harmful by definition and paragraph 144 identifies that substantial weight should be given to any harm to the Green Belt.

Openness

8. Given the limited scale of the proposed dormer extension it would be largely incorporated into the existing roofscape and would only be seen in the context of the existing roof and dormer. The massing, bulk and overall scale of the dormer would not noticeably alter when viewed from the road, and the existing form of the frontage and character and appearance of the dwelling would remain unchanged. The visual impact upon openness is therefore very limited, as is, given the limited additional volume created, the spatial impact of the development in terms of the space occupied by the enlargement.
9. However, even limited harm to the openness of the Green Belt is given substantial weight, as set out by Paragraph 144 of the Framework.

Other Considerations

10. I note that Barkers Lane is made up of dwellings of differing appearance, scale and character. Whilst no substantive evidence has been provided by the appellants, it is stated that many neighbouring dwellings have been extended or have permission to do so. However, the matter of proportionality is considered on the merits of each property and proposal.
11. I further note that the Council have not raised objection regarding any issue other than the impact on the Green Belt. I have no reason to disagree with regards to the visual impact of the proposal on the varied character and appearance of the street scene, however this would be expected of any well-designed development and is not in favour of the proposal.

12. I also note the appellant's desire to provide an additional bedroom at first floor level to safely accommodate her growing family, and the intention to provide, albeit limited, environmental benefits through improved insulation and solar panels etc. These matters carry moderate weight, as do the alleged support from some neighbours and the local planning parish council and Chair.
13. Finally, the appellants set out that they would be prepared to reduce the scale of their exiting porch to compensate for the additional volume created by the dormer extension. Whilst this could be given considerable weight, no details of this have been provided on plan and as such it is not possible to impose such a condition to ensure this. I cannot therefore give this matter any weight.

Green Belt Conclusion

14. The proposal would amount to inappropriate development in the Green Belt, and further harm to the Green Belt would be caused as a result of the loss of openness. These matters carry substantial weight. At most, moderate weight has been given to the considerations cited in support of the proposal. I conclude that taken together, they do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.

Recommendation

15. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

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.

Andrew Owen

INSPECTOR