
Appeal Decision

Site visit made on 13 October 2020 by C McDonagh BA (Hons) MA MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2020

Appeal Ref: APP/N2739/D/20/3257358

Whiterose Bungalow, Great North Road, Ledsham, Leeds LS25 5LQ

- 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 John Taylor against the decision of Selby District Council.
 - The application Ref 2020/0508/HPA, dated 22 May 2020, was refused by notice dated 15 July 2020.
 - The development proposed is a first-floor extension to existing bungalow.
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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 in this appeal are as follows:
 - whether 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;
 - the effect on the openness of the Green Belt; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

4. The appeal site comprises a single-storey bungalow with detached garage. The area is of mixed commercial and residential use, with several other bungalows and a gypsy and traveller site to one side and a hotel and caravan sales business to the other.
5. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that the construction of new

buildings in the Green Belt is inappropriate unless it meets one of seven specified exceptions. This includes where they involve an 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 set out in paragraph 145c.

6. The Framework does not define disproportionate addition, which is a matter of planning judgement. In this case, the existing building has already been extended to include a single storey sunroom and a detached garage, which was assessed as an extension. The Council have calculated these previous extensions to equate to a 40% increase over the original volume of the bungalow. The proposed first floor extension would represent a 90% increase over and above the size of the original building when taken alongside these previous developments. I note this calculation is not disputed and from all I have seen and read, I have no reason to disagree with it.
7. Consequently, the proposal would constitute a disproportionate addition to the dwelling and would not fall within exception set out in paragraph 145c. It would therefore represent inappropriate development in the Green Belt. In accordance with the paragraph 143 of the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness

8. Paragraph 133 of the Framework states that a 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.
9. The proposal would introduce substantial mass and bulk at first floor level. As a result of the increase in built form, the proposal would harm the openness of the Green Belt in spatial terms. Similarly, given that the extension would be visible from the A63 and other homes and businesses in the area, it would have a harmful effect on openness in visual terms. Given that the proposal would affect only a small part of the Green Belt, its effect in terms of openness would be limited.

Other considerations

10. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
11. I did note on the site visit there are existing two-storey buildings in the area, such as the hotel and a building on the opposite side of the A63. However, these appear to be of some age and the fact that an adjacent property is larger in scale than the appeal dwelling does not make the proposed extension acceptable in terms of impact on the Green Belt. I can only deal with the proposal on its own merits in the light of current policy position.
12. The proposal includes matching materials to those of the existing bungalow. I also acknowledge there are commercial uses nearby and long-range views may not be possible from within other parts of the Green Belt. However, the Council has raised no objection to the development based on its effect on the character

and appearance of the building or on landscape and visual impact. Accordingly, these are neutral matters rather than carrying weight in favour of the scheme.

Very Special Circumstances and Conclusion

13. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. I have found that the proposal would be inappropriate development in the Green Belt and that it would be harmful to the openness of the Green Belt. These matters carry substantial weight.
14. For the above reasons the material considerations cited in support of the proposal carry no weight and therefore they do not outweigh the totality of the harm the scheme would cause. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.
15. As such the proposal would conflict with Green Belt policy as set out in paragraphs 143 - 145 of the Framework.

Recommendation

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

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Ashworth

INSPECTOR