

Appeal Decision

Site visit made on 5 January 2021 by C McDonagh BA (Hons) MA MRTPI

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2021

Appeal Ref: APP/W4705/D/20/3261088

The Croft Cottage, Lee Lane, Bingley, Bradford BD16 1UB

- 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 Robert Farnell against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/02620/HOU, dated 2 July 2020, was refused by notice dated 27 August 2020.
 - The development proposed is a first floor rear extension over existing ground floor extensions.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Robert Farnell against City of Bradford Metropolitan District Council. This application is the subject of a separate Decision.

Appeal Procedure

3. 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

4. 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;
 - the effect of the proposal on the character and appearance of the host and adjoining properties; 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

Whether inappropriate development in the Green Belt

5. The appeal site comprises a two-storey dwelling which is attached to a larger property. It has an outbuilding to the rear.
6. Policy SC7 of the Core Strategy Development Plan Document 2017 (the Core Strategy) seeks to protect the Green Belt. 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. One of which, at paragraph 145c, is 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.
7. The Framework does not define disproportionate addition, which is a matter of planning judgement. In this case, the property includes two existing rear extensions and an outbuilding. I note there is dispute between the parties regarding the calculation of volumetric increase over the original dwelling.
8. However, even if I were to accept the appellant's lower figure of 58.5% as the correct calculation, in my judgement this would still be an overly large increase which would represent a disproportionate addition to the original building. This is evident in the size of the first floor rear extension which would obscure the original rear elevation of the property, add to the tally of previous additions and result in a building of considerably greater bulk and mass than the modest size of the original.
9. I note the argument that the proposal should be considered in the context of the site as a whole and the attached neighbouring building, while the large garden and outbuilding soften its impact. However, the Framework is clear in paragraph 145c that this exception relates to additions to a building and not the site as a whole planning unit or its relationship to other buildings. I have assessed the proposal accordingly.
10. Consequently, the proposal would not fall within the exception set out in paragraph 145c of the Framework. 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

11. 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.
12. The proposal would introduce significant mass at first floor level to the rear of the property. 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 adjoining property, Lee Lane and footpaths 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 impact would be limited.

Character and appearance

13. The first-floor extension would add substantial mass and bulk to the rear of the dwelling. The apex of the roof would be set at a similar height to that of the host building while the width would cover most of the rear elevation. The resulting extension would lack subordination and leave little of the original rear elevation remaining. I understand the reasons for the asymmetric roof line insofar as it seeks to reduce any impacts to outlook from first floor windows of the adjoining property, while also maximising the amount of usable space within. However, this awkward arrangement externally would nevertheless compound the harm to character and appearance.
14. I note the additional concern of the Council regarding potential harm to the character and appearance of the adjoining dwelling, The Croft. I understand The Croft was a barn conversion, with the garage later converted to create Croft Cottage as a separate dwelling. Despite the existing alterations to the rear, it remains subordinate to The Croft given its lower ridge height and narrower form. While the proposal would involve additional mass at first-floor level to the rear, The Croft Cottage would remain lower in height and retain its overall width to remain subordinate to The Croft. As such, I do not consider the proposal harms the character and appearance of the adjoining dwelling.
15. Notwithstanding the lack of harm to The Croft in this regard, the proposal would harm the character and appearance of the host property. It would therefore be contrary to Policies DS1 and DS2 of the Bradford District Core Strategy Development Plan Document (the DPD). These seek to ensure development is of good design and informed by a good understanding of the site/area and its context.

Other considerations

16. 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.
17. I understand the appellant wishes to extend the property in order to increase their living space. However, this is a personal circumstance which can change over time. As a result, it carries limited weight in favour of the proposal.
18. While there is support from the Parish Council and a local scout group for the proposal, these carry little weight in favour of the scheme which I have assessed based on its planning merits. Further considerations raised include the boot room needing repairs and not meeting building regulation standards. However, I have no substantive information before me on either matter, and therefore they carry negligible weight in favour of the scheme.

Very Special Circumstances and Conclusion

19. 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. In addition, I have found harm to the character and appearance of the host property.

20. For the above reasons the other considerations cited in support of the proposal carry limited 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.
21. As such the proposal would conflict with Green Belt policy as set out in paragraphs 143 - 145 of the Framework and Policy CS7 of the Core Strategy.

Recommendation

22. 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

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

Zoe Raygen

INSPECTOR