
Appeal Decision

Site visit made on 12 January 2021

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 January 2021

Appeal Ref: APP/P1940/D/20/3263069

Crestyl, Dimmocks Lane, Sarratt, WD3 6AR

- 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 Peter Morgan against the decision of Three Rivers District Council.
 - The application Ref 20/1681/FUL, dated 14 August 2020, was refused by notice dated 12 October 2020.
 - The development proposed is roof extension, re-cladding, changes to fenestration, new front porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - 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;
 - the effect of the development on the openness of the Green Belt;
 - if the proposal is 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 the development.

Reasons

Whether inappropriate development

6. The appeal site contains a single storey dwelling. It is located on the eastern side of Dimmocks Lane and lies within the Green Belt.
7. Paragraph 143 of the National Planning Policy Framework (February 2019) (the Framework) indicates that inappropriate development is, by definition, harmful to the Green Belt. It should not be approved except in very special circumstances. Paragraph 145 c) lists an exception to inappropriate development, as the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.

8. Policy CP11 of the Core Strategy (2011) (the CS) indicates that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt or would conflict with the purpose of including land within it.
9. Policy DM2 of the Development Management Policies Local Development Document (2013) (the DMP) relates to development within the Green Belt. It states that extensions that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. It also states that the building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account.
10. Neither the Framework, nor the Council's policies, define what is meant by 'disproportionate'. The Council's 'Extensions to Dwellings in the Green Belt' Supplementary Planning Guidance (SPG) indicates that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable and whilst the SPG relates to superseded policies, the DMP indicates that it will be taken into account until it is incorporated into a future Design Supplementary Planning Document. Accordingly, it is still a relevant consideration for the proposal in terms of whether or not it would be disproportionate.
11. The Council indicates that existing extensions to the dwelling result in a cumulative increase in floorspace of 171% compared to the original building. The appellant does not dispute this. Accordingly, the existing extensions to the dwelling already constitute what may be deemed disproportionate additions to the original building given that they far exceed the 40% guidance which is generally considered proportionate.
12. The appeal proposal would introduce around an additional 160sq. m of internal floorspace at roof level although it would not increase the internal ground floor floorspace of the dwelling.
13. The appellant refers to a recent appeal decision on a nearby site (APP/P1940/D/17/3180951) in which the Inspector indicated that floorspace is not the only measure of size when considering whether an extension to a building in the Green Belt would result in disproportionate additions over and above the size of the original building. I agree.
14. In this case, whilst most of the new floorspace already exists within the volume of the existing roof, the existing hipped roof would be replaced by a new roof to facilitate the loft conversion. The new roof would be steeper than the existing roofslopes and both the eaves height and the overall ridge height of the roof would be increased. The roof would be extended forward by approximately 3.5m to form two gable ends, each of a width of about 5.5m, to the section of the dwelling set furthest forward. A gable of the same scale would be constructed to the rear.
15. Two dormer windows would be inserted within the new front roofslope of the set-back section of the dwelling. The dormer windows would have pitched roof forms and be approximately 2.2m deep, 2.6m wide and 2.2m high. There would be two sets of full height rooflights within the rear roofslope. In addition, an open porch would be built to the main front entrance door to the dwelling.

The porch would be approximately 2.2m deep and 4.1m wide. It would have an eaves height of approximately 2.6m and an overall height of around 3.1m.

16. Taken together the proposed extensions and alterations would increase the overall scale, height and bulk of the dwelling which, in conjunction with previous extensions, would result in disproportionate additions over and above the size of the original building. Accordingly, the proposal would be inappropriate development as described in paragraph 145 of the Framework, Policy CP11 of the CS and Policy DM2 of the DMP. Inappropriate development is by definition, harmful to the Green Belt, and should only be permitted in very special circumstances. I shall return to this below.

Openness

17. Paragraph 133 of the Framework indicates that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is an essential characteristic of the Green Belt and has both a spatial and visual dimension.
18. Paragraph 140 of the Framework, as referred to by the appellant, relates to defining Green Belt boundaries and the consideration of whether a village should be included within or excluded from the Green Belt. Therefore, its relevance in relation to this main issue would appear somewhat limited.
19. Although the appeal proposal would be largely contained within the footprint of the existing building, it would increase the scale, height and bulk of the dwelling. Accordingly, there would be a material increase in the amount of built development on the site. Notwithstanding the surrounding context of the appeal site the extended dwelling would be discernibly larger and bulkier than the existing dwelling when viewed from all angles. Accordingly, the proposed development would have an adverse impact on both the spatial and visual openness of the Green Belt. In this case the harm to the openness of the Green Belt would be limited.

Other considerations

20. The appeal proposal would improve the layout and arrangement of the space within the property and serve to improve the thermal performance of the fabric of the dwelling. Accordingly, I attribute these factors moderate weight.
21. The lack of harm to the character and appearance of the area by virtue of the general design and finish of the proposal and the lack of harm to the amenities of adjoining neighbours are neutral factors as are the lack of objections to the proposal.
22. The appellant indicates that the appeal proposal was prepared as a direct response to pre-application advice received from the Council. Nevertheless, this matter does not serve to add weight in its favour.

Conclusion

23. The Framework, at paragraph 144, indicates 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.

24. The appeal proposal would be inappropriate development in the Green Belt which would, by definition, be harmful to the Green Belt. It would also cause harm to the openness of the Green Belt.
25. The moderate weight that I attribute to the proposal in improving the layout and arrangement of the space within the property and the thermal performance of the fabric of the dwelling would not clearly outweigh the weight to be given to the cumulative harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist. Consequently, the proposed development would conflict with Policy CP11 of the CS and Policy DM2 of the DMP which seek to protect the Green Belt and preserve its openness.
26. For the reasons set out above, and having regard to all other matters raised, the appeal should be dismissed.

Beverley Doward

INSPECTOR