



Appeal Decision

Site visit made on 19 January 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 4th February 2021

Appeal Ref: APP/T2350/D/20/3261174

Leaside, Mire Ash Brow, Mellor, Blackburn BB2 7EZ

- 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 James Watts against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2020/0590, dated 23 July 2020, was refused by notice dated 28 September 2020.
 - The development proposed is redevelopment of the existing dwelling incorporating annex accommodation.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr James Watts against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - i) 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;
 - ii) The effect of the proposal on the openness of the Green Belt and the character and appearance of the property; and
 - iii) If the scheme 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 it.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The appeal property is a detached single storey dwelling in a large plot adjacent to Mire Ash Brow. It forms part of a short ribbon of residential development in the countryside approximately 180 metres outside of the settlement of Mellor. It is in the Green Belt.

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.
6. Policy EN1 of the Ribble Valley Core Strategy 2008-2028 Local Plan Adopted December 2014 (the LP) states that new buildings in the Green Belt will be limited to purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes.
7. Paragraph 145 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of listed exceptions. The relevant exception in this case is Paragraph 145 c) 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.
8. For the purposes of the Framework, the original building is the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built. In this case, the appeal property is a single storey dwelling with a conservatory extension and a detached double garage. Neither party has clarified the original building, but the conservatory appears to be a later addition and the garage is not part of the building. On this basis, the conservatory and the garage are not part of the original building.
9. There is no definition of 'disproportionate' in the Framework or the LP, but Paragraph 145 c) of the Framework refers to the size of the building. The starting point is therefore an assessment of the overall increase in the size of the building measured in terms of volume, dimensions and floorspace.
10. While the parties disagree as to whether or not the proposal would be disproportionate relative to the host dwelling, no detailed calculations have been provided to clarify the increase in size. However, the dimensions on the submitted plans indicate that there would be a substantial increase in both the footprint and the volume of the building. Consequently, the proposal would be overly large and a significant increase in the size of the original building. This would be the case even if the conservatory was an original part of the property.
11. Therefore, the proposal would be a disproportionate addition over and above the size of the original building. It would be inappropriate development in the Green Belt and it would conflict with the policies in the Framework that protect the Green Belt.

Openness of the Green Belt and character and appearance

12. The Framework advises that openness and permanence are the essential characteristics of the Green Belt. Openness is the absence of development and it has both spatial and visual aspects.
13. The large increase in the footprint of the dwelling would result in an increase in the permanent spatial footprint of development at this site. Therefore, there would be a small spatial loss of openness of the Green Belt.
14. In contrast to the modest and unobtrusive conservatory that would be demolished, the proposal would be a large contemporary feature with 2 storey glazed extensions, alterations and an annex extension. There would be a significant increase in the quantum of built development. By virtue of its large

size, unusual form, extensive glazing and modern finish, the proposal would not be sympathetic and it would not appear subservient to its host. The proposal would be a conspicuous and visually discordant form of development.

15. Irrespective of its set back from the road and the tall boundary hedge, the dwelling is visible from the surrounding area including the adjacent highway and footway, looking along the driveway and through the hedge. By virtue of its size and design, the proposal would be more prominent than the existing dwelling, including during the hours of darkness due to the extensive glazing. In addition to the visual impact of the dwelling, an increase in car parking and domestic paraphernalia associated with the residential occupation of the annexe accommodation would result in a visual impact on openness.
16. The evidence suggests that the detached double garage would be demolished, although it is illustrated on the proposed elevation plans. If the garage and its footprint were removed then there would be a minor increase in spatial and visual openness. However, the garage is considerably smaller in footprint and bulk than the extensions and alterations. Its demolition would not mitigate the loss of openness to any significant degree.
17. Consequently, taking account of its footprint, bulk and appearance, the proposal would result in a small spatial and visual loss of openness of the Green Belt in this location. It would conflict with the design aims and Green Belt protection aims of Policies EN1, DMG1 and DMH5 of the LP.

Other Considerations

18. The modest level of accommodation provided by the annex extension would be suitable to be used as ancillary accommodation but not for independent living. Although there is little before me in terms of the appellant's personal circumstances, the occupation of the annex by his elderly mother in law would be a benefit to the family. Even so, it has not been demonstrated that similar ancillary accommodation could not be provided by alternate means or that alternatives have either been explored or discounted. Therefore, the appellant's personal circumstances carry only limited weight in favour of the proposal.

Green Belt balance

19. I have concluded that the proposal would be inappropriate development in the Green Belt. It would result in a small loss of openness of the Green Belt. These matters attract substantial weight. There would be harm to the character and appearance of the host dwelling.
20. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness and other harm. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

21. For the reasons set out above, the appeal should be dismissed.

Sarah Manchester INSPECTOR