



Appeal Decision

Site visit made on 15 March 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2021

Appeal Ref: APP/X4725/D/20/3264826

The Old Service Station, Newstead Lane, Havercroft, Wakefield WF4 2HN

- 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 and Mrs P and I Normington against the decision of Wakefield Metropolitan District Council.
 - The application Ref 20/01524/FUL, dated 28 July 2020, was refused by notice dated 29 September 2020.
 - The development is described as erection of single storey extension to side and rear (Retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above is taken from the application form and includes the word "retrospective", however, this term does not amount to an act of development. I noted on my site visit that some work had commenced. For the avoidance of doubt, I have assessed the appeal proposal and based my decision on the plans before me.

Main Issues

3. The main issues are as follows:
 - i. 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;
 - ii. The effect of the proposal on the openness of the Green Belt;
 - iii. The effect of the proposal on the character and appearance of the host building and the surrounding area; and
 - iv. If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section

- c) of that paragraph an extension to a building will not be inappropriate provided that it would not result in disproportionate additions over and above the size of the original building.
5. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. However, it does not specify what might be a disproportionate addition over and above the size of the original building. The Council state that generally they advise that extensions which result in less than a 50% increase to the original dwelling would not be disproportionate. Although this is not stated within planning policy or guidance, I find that the use of a 50% threshold provides a reasonable benchmark to assess the proportionality of the proposed extension.
 6. The main parties agree that the dwelling currently benefits from a single storey extension to the side which did not form part of the original dwelling. Nevertheless, the appellants dispute the Council's figures. The Council consider that the proposed extension, taking into account the existing extension, would result in approximately a 68% increase in floor area and 68% increase in volume compared to the original dwelling. In contrast, the appellants consider the volume increase to be 62%. I note that they have not set out the percentage increase in floor area.
 7. Even if I were to conclude that the appellants' calculations are correct, the scheme would result in the volume increase to be well over 50%. It would substantially increase the floor area, scale and massing of the dwelling compared to the original dwelling. Thus, having regard to the volume and floor area percentage increases, the scheme would result in a disproportionate addition over and above the size of the original building.
 8. Accordingly, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt, having regard to Policy D23 of the Local Development Framework: Development Policies Document (DPD) and the Framework which seek to ensure extensions in the Green Belt are not disproportionate over and above the size of the existing building when originally constructed.
 9. The appellants highlight that the Council approved a larger extension in 2018 and the removal of the carport has a positive effect upon the Green Belt. Given that the approved development has not been implemented and these elements did not form part of the original property, I must consider the proposal against the original size of the building. These matters are addressed later in my decision.

Openness

10. The 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.
11. The dwelling is clearly visible from the road due to the low boundary treatment. The side extension would be noticeable from public vantage points whereas the rear extension would be less conspicuous.
12. The proposed development would have a visual impact upon the openness of the Green Belt given the significant amount of bulk proposed particularly to the

side of the dwelling. This increase in scale and massing would be visually evident from the road.

13. The scheme would also have a spatial impact upon the Green Belt, regardless of any views, because of the increase in bulk, scale and massing. It would result in an erosion of space where, based on the evidence before me, there were previously no enclosed buildings, albeit there was a large carport.
14. Accordingly, the proposed extension would increase the level of built development and would also add to the cumulative bulk of the dwelling. The development therefore would not preserve the openness of the Green Belt.

Character and appearance

15. The dwelling is adjacent to the main built up area of Havercroft. Within the surrounding area are a mix of dwellings which vary in design, form and massing. The host building is a two-storey detached property of simple design.
16. The proposed side extension would be set back from the principal elevation and single storey in height. It would not comply with guidance contained within the Wakefield District Residential Design Guide (2018) (RDG) as it would be more than two thirds of the width of the original house.
17. Particularly the side extension would be poorly designed because it would result in an unsympathetic addition as the original, simple design of the house would not be preserved. It would also have an extremely limited visual relationship with the existing smaller side extension due to its siting, design and scale. The width of the side extension would unbalance the dwelling and would not respect the proportions and massing of the original nor existing property. It would result in an incongruous form of development which would appear at odds with the character and appearance of the host dwelling. Hence, it would be visually harmful and detract from the character and appearance of the host building and surrounding area.
18. Consequently, the scheme would conflict with Policy CS10 of the Local Development Framework: Core Strategy (CS) and Policies D9 and D10 of the DPD which seek, amongst other matters, to ensure extensions respect the character and scale of the dwelling, and its location. It would also not comply with the Framework in relation to the principles of good design, with particular reference to ensuring that developments are sympathetic to local character.

Other considerations

19. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
20. In 2018 the Council granted planning permission for a two-storey side and single storey rear extension. The volume increase of the approved proposal is more than that of the proposed scheme¹. The appellants also consider that the proposed scheme has less of an impact upon the Green Belt as it seeks permission for a single storey side extension rather than two-storey.
21. The approved extension has not been implemented but could be carried out. The Council highlight that the Green Belt assessment contained within the

¹ Paragraph 6.7 of the appellants' statement of case

Officer's Report of the approved extension was incorrect as the unauthorised carport was mistakenly considered to form part of the original dwelling.

22. I do not consider that the proposed development would have less of an impact upon the Green Belt. I acknowledge that the volume of the approved scheme would be more than that proposed and could be implemented. Nonetheless, the scheme would have a greater spatial impact upon the Green Belt given that the footprint would be larger than the approved scheme. I attach substantial weight to the approved scheme given that the two developments would have a similar impact upon the Green Belt, having regard to the volume and footprint increase.
23. The extant two-storey extension would be more in keeping with the design of the original dwelling and character and appearance of the surrounding area because it would respect the proportions and simple design of the host property. This consideration weighs against the proposed scheme.
24. The appellants also highlight that a carport previously filled the gap between the side elevation and side boundary and its removal has a positive impact. Based on the evidence presented, the proposed extension is narrower than the former carport. However, the carport did not form part of original dwelling and was not present at the time of my site visit. The proposed development would have a significantly greater impact upon the Green Belt as it would be an enclosed extension with a substantially larger scale and massing compared to the open carport. Consequently, I attach extremely limited weight to the removed carport.
25. The Council highlight that whilst determining the application, the appellants provided a letter from their Doctor. The appellants have not raised this matter within their submission and as I have a lack of information before me in this respect, this does not amount to a positive factor in favour of the development.

Whether very special circumstances exist

26. The Framework identifies that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt. I have concluded that the development constitutes inappropriate development in the Green Belt and would cause harm to the openness of the Green Belt. This is a matter which carries substantial weight. Additional weight is given to the harm to the character and appearance of the surrounding area. As cited above, the proposal conflicts with both local and national planning policy.
27. The advanced consideration relating to the approved scheme is given substantial weight, extremely limited weight is given to the removed carport and neutral weight is given to the personal circumstances of the appellants. When drawing this together, the advanced considerations in support of the appeal whether taken individually or cumulatively, do not, on balance clearly outweigh the conflict with planning policies that seek to protect the Green Belt. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion

28. For the reasons given above, the proposal would amount to 'inappropriate development' that would cause harm to the openness of the Green Belt and the

character and appearance of the host building and surrounding area. There are no very special circumstances to outweigh the harm caused in that respect. The development is contrary to the relevant policies of the CS, DPD, the RDG and the Framework. There are no material considerations to outweigh the conflict with these policies.

29. For all of those reasons, the appeal should be dismissed.

L M Wilson

INSPECTOR