



Appeal Decision

Site Visit made on 26 May 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2021

Appeal Ref: APP/P0240/D/21/3268837

22 Mount Pleasant, Aspley Guise, Milton Keynes MK17 8LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs R Davis against the decision of Central Bedfordshire Council.
 - The application Ref: CB/20/04450/FULL, dated 3 December 2020, was refused by notice dated 15 January 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. While Central Bedfordshire's emerging new Local Plan is at an advanced stage of preparation, it is yet to be finalised and adopted, which limits the weight it carries. Central Bedfordshire Core Strategy and Development Management Policies (2009) (CSDMP) constitutes the adopted development plan and I shall determine the appeal on this basis.

Main Issues

3. The main issues in this case are:
 - a) whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - b) the effect of the proposal on the openness of the Green Belt; and
 - c) if the development is inappropriate, 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 development.

Reasons

Whether inappropriate development

4. The appeal site comprises a semi-detached two-storey dwelling and its garden areas. It is located within the village of Aspley Guise, at one end of a row of semi-detached dwellings, on a corner plot at the junction of Mount Pleasant

and Spinney Lane. The village is 'washed over' by the Green Belt¹ and the appeal site sits within the latter.

5. Paragraph 145 of the Framework sets out a small number of exceptions to inappropriate development in the Green Belt. One such exception is the extension or alteration of a building, provided it does not result in disproportionate additions over and above the size of the original building. This is echoed in the guidance in Section 7 of the Central Bedfordshire Design Guide (2014) (DG) that an addition to a dwelling in the Green Belt will not be appropriate if it results in a disproportionate addition.
6. As a guiding principle, paragraph 7.03.29 of the DG specifies 60% as the maximum total increase to the original dwelling size that would be proportionate.
7. The proposed single storey rear extension would increase the current footprint of the property to the rear to accommodate an additional room.
8. It is undisputed that in combination with previous extensions, the proposal would result in a cumulative increase over and above that of the original dwelling house of approximately 136% in terms of floorspace and 144% in terms of footprint. As a result, the proposal would take the cumulative increase in the size of the house from that originally constructed to well beyond twice the DG's maximum guideline limit. This would conflict with guidance in Section 7 of the DG.
9. I conclude that the proposal would entail a disproportionate addition within the Green Belt. Therefore, the proposal would not fall within the exceptions listed in paragraph 145c) of the Framework. Thus, the proposal would be inappropriate development in the Green Belt and would conflict with the Framework and local design guidance.
10. Policy DM6 of the CSDMP covers infill development, defined² as small-scale development on a vacant plot, which the proposal is not. Also, DM6 does not refer to proportionality. As such, Policy DM6 is not engaged in this case.

Openness of the Green Belt

11. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open. Openness has both spatial and visual dimensions.
12. The single storey extension would be situated within the lower part of the rear garden of a row of houses, within a residential area of the village. The extension's depth would mirror that of an adjoining rear extension, albeit the proposal would be wider than the corresponding neighbouring extension, and the other dwelling has a smaller footprint. Perimeter garden vegetation and fencing would help screen the proposal from wider view. In the light of the above, the proposal would have a relatively discreet location which would help limit its visual impact.
13. However, the proposal would increase the depth of the appeal building at No 22 Mount Pleasant by around 3.75m. It would also increase the building's footprint

¹ As set out in paragraph 11.3.1 of the CSDMP.

² In paragraph 11.3.2 of the CSDMP.

by approximately 8.7sq.m. This and the resultant increase in building mass, in accumulation with existing extensions at this semi-detached dwelling would have an adverse spatial impact on openness. This would result in some harm to the openness of the Green Belt. This harm must be regarded as additional to the harm by reason of inappropriateness.

14. Development Quality Policies CS14 and DM3 of the CSDMP do not mention Green Belt. Nonetheless, through loss of openness of Green Belt the proposal would fail to respect local context, and would not be of appropriate scale for its setting. Consequently, the proposal would not achieve high development quality sufficient to satisfy Policies CS14 and DM3 of the CSDMP.

Other considerations

15. The proposal would result in additional accommodation at the appeal property, in the form of a 'boot room'. Given the modest scale of benefit, I attach limited weight to it.
16. My attention is drawn to another dwelling on the other side of Spinney Lane and various planning permissions³ for the other site. The other schemes differ from the appeal proposal in that they are for a new detached infill dwelling on a different site. Also, 'fallback' considerations had a bearing in some of the other cases. This limits the extent to which the other schemes are analogous to the proposal before me. Furthermore, the fact that buildings approved for another site in the village within the Green Belt were larger than the appeal dwelling does not negate the harm identified in this case.

Whether very special circumstances

17. The Framework sets out that inappropriate development in the Green Belt will not be permitted except in very special circumstances. As per paragraph 144 of the Framework, 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.
18. The proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful. The appeal scheme would also result in loss of openness of the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt.
19. In conclusion, the substantial weight to be given to the Green Belt harm arising from the development would not be clearly outweighed by other considerations. Consequently, very special circumstances necessary to justify the development do not exist. The proposal would therefore fail to accord with the Framework.

Conclusion

20. The proposed development would be contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper INSPECTOR

³ Planning application Refs: CB/17/06051/FULL, CB/19/03331/FULL and CB/20/00200/FULL.