
Appeal Decision

Site visit made on 22 June 2021 by A J Sutton BA (Hons) DipTP MRTPI

by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2021

Appeal Ref: APP/F0114/D/21/3269714

Tellisford, Norton Lane, Whitchurch, Bristol, BS14 0BT

- 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 Percival against the decision of Bath & North East Somerset Council.
 - The application Ref 20/03811/FUL, dated 14 October 2020, was refused by notice dated 19 January 2021.
 - The development proposed is described as 'Addition of bay window to front with balcony above. Build first floor extension over existing single storey aspects to rear. Provide a makeover to façade of the building.'
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. 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.

Preliminary Matter

3. The proposal was revised during the planning application process. For the avoidance of doubt this recommendation is based on revised drawings cited on the Council's decision notice.

Main Issues

4. The main issues are:
 - 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;
 - the effect of the proposal on the openness of the Green Belt; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons for Recommendation

5. The Framework states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It requires, when considering

any planning application, that substantial weight is given to any harm to the Green Belt.

6. Policy GB3 of the Bath and North East Somerset Placemaking Plan District-Wide Strategy and Policies (the Plan) and Policy CP8 of the Bath and North East Somerset Core Strategy (CS) reflect these policies of the Framework.

Whether Inappropriate Development

7. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework establishes that the construction of new buildings should be regarded as inappropriate. However, paragraph 145 of the Framework identifies exceptions to this, which include, at 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. The Framework defines original building as a 'building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'. It does not however define 'disproportionate'. Nor is it defined in policies or supporting text of the development plan.
9. The Existing Dwellings in the Green Belt Supplementary Planning Document (SPD) however advises that disproportionate additions could constitute either a single large extension or a series of smaller extensions over time. It goes on to advise that the following will be considered when deciding whether or not an extension is disproportionate: the cumulative increase in volume of all extensions as a percentage of the original dwelling, and the character of the dwelling and its surroundings. It also guides that while each application will be considered on its own merit in many circumstances a well-designed extension resulting in a volume increase of about a third of the original dwelling would be more likely to be acceptable.
10. The SPD predates the latest version of the Framework and supporting text to Policy GB3 of the Plan notes that the SPD will need to be revised in light of changes to the national policy. In my experience 'disproportionate' is often defined as a percentage increase. Therefore, the advice in this case is generally reflective of such approaches.
11. The Council has raised no issue with regards the proposal's effect on the character of the dwelling and its surroundings and I find nothing which would lead me to dispute this conclusion.
12. The appeal property was originally a bungalow which appears to be an infill development between two large detached two-storey dwellings. The Council conclude that the volume of the dwelling as it was originally built has increased by 67%. Evidence has not been submitted in this appeal which challenges this calculation. Much of the increased volume has been created by the adaption of the bungalow to one and a half storeys. However, despite a large garden space being retained, images provided by the appellants illustrate that the footprint of the dwelling has also increased significantly. It has been expanded to the side boundary filling the space at this aspect and extended to a smaller extent at both the rear and front elevations.
13. When combined with the existing extensions the additions amount to well over 70% of the original volume of the dwelling, which is way in excess of the

percentage tolerances set out in the SPD. It would also extend the footprint of the built form. The original building would be engulfed by additions.

14. Therefore, whilst the proposal would be small, cumulatively it would amount to a disproportionate addition over and above the size of the original building, in conflict with Policy GB3 of the Plan. The proposal would also not satisfy the requirements as an exception to new building in the Green Belt for the purposes of paragraph 145 c) of the Framework. It would be inappropriate development which by definition would be harmful to the Green Belt to which I attach substantial weight.

Openness

15. Paragraph 133 of the Framework establishes that 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 permanence.
16. The appeal property has an elevated position and forms a short row of detached dwelling surrounded by open countryside and some distance from the built edge of Whitchurch. The outlook to the front of the dwelling, beyond the lane, which is bound by a mature hedge line, is of uninterrupted open farmland with the City of Bristol visible in the distance. The detached dwellings which form the row are set back from the lane, have reasonable sized garden plots and are well spaced.
17. The bulk of the proposed addition would be to the front of the dwelling and would include a large opening at the first floor. It would not significantly alter its form when viewed from the lane however it would extend the mass and footprint of the dwelling at this aspect. The resultant visual and spatial change on the openness of the Green Belt in this area would be evident from the lane immediately to the front of the dwelling and therefore the effect would be limited and localised. It would however have a greater impact on the openness of the Green Belt than the existing development, in that the footprint of the dwelling would be slightly increased and there would be a loss of openness at this aspect of the property.
18. Consequently, I conclude that the proposal would result in a loss of openness to the Green Belt, in conflict with CS Policy CP8. Whilst the effect would be limited and localised, harm to the openness of the Green Belt would occur; a matter to which I am required to attach substantial weight in reaching this recommendation.

Other Considerations

19. Very special circumstances to justify inappropriate development 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.
20. The environmental benefits of installing solar panels weigh in favour of this proposal. I attach moderate weight to this matter. The proposal would improve the living conditions for the appellants which is of personal benefit and I accordingly attach this limited weight. Quality of design is to be expected in all development so this is a neutral factor in this appeal.

21. Against these benefits which weigh at most moderately in favour of the proposal is the substantial harm that would be caused to the Green Belt on account of the proposal being inappropriate development within it and the loss of openness.
22. Consequently, these other considerations do not, either individually or cumulatively, clearly outweigh the substantial harm to the Green Belt. As a result, the very special circumstances that are required to justify the proposal do not exist.

Recommendation

23. For the reasons given above, I find that the proposal would not accord with the development plan and there are no material considerations to outweigh that finding. I therefore recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

24. I have considered all the submitted evidence and agree that the appeal should be dismissed.

RC Kirby

INSPECTOR