



Appeal Decision

Site Visit made on 18 May 2021 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/P1805/D/21/3270448

**Little Truemans Heath Farm, Truemans Heath Lane, Truemans Heath
B90 1PJ**

- 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 & Mrs John Moriarty against the decision of Bromsgrove District Council.
 - The application Ref 20/01304/FUL, dated 14 October 2020, was refused by notice dated 15 December 2020.
 - The development proposed is proposed single storey side extension and upper storey rear extension.
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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.

Main Issues

3. The main issues are:
 - i. Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies, including the effect on the openness of the Green Belt; and
 - ii. Whether any 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 the Recommendation

Whether inappropriate development

4. The National Planning Policy Framework (The Framework) establishes that new buildings within the Green Belt are inappropriate subject to a number of exceptions (paragraph 145). This includes the exception in paragraph 145 c) for the extension or alteration to a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework notes that the original building is a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

5. Policy BDP4.4 of the Bromsgrove District Plan 2011-2030 (BDP) (adopted 2017) identifies similar exceptions to the Framework, however in terms of extensions to dwellings, criterion c) varies slightly from paragraph 145 insofar as it sets a maximum percentage increase (40%) of the original dwelling's floorspace or up to a maximum of 140 square metres, provided that this scale of development has no adverse impact on the openness of the Green Belt. The supporting text explains that extensions above these thresholds will be disproportionate additions and inappropriate development.
6. The BDP was adopted following the publication of the 2012 version of the Framework, however the wording of paragraph 145 c) of the 2019 version has not changed from that of bullet point 3 of paragraph 89 of the 2012 version. The supporting text to Policy BDP4 explains that it adds a greater level of detail than what is provided in the Framework, which is a reasonable approach as there is no definition of 'disproportionate' in the Framework. The Framework does not include an assessment of openness in relation to extensions, however it does identify openness as one of the essential characteristics of Green Belts. Therefore, I consider that the Policy remains generally consistent with the Framework.
7. A photograph from around 1930 has been provided which shows the front elevation and the flank wall of the property. Based on this image it appears that since it was taken, a two-storey extension has been built to the front of the property as well as a single storey side extension. Whilst there does appear to be development to the rear of the dwelling in the photograph, due to the angle at which it was taken it is not possible to determine whether that shows the single storey and two-storey rear elements currently present.
8. The Council states that the dwelling has already been extended and that the proposed extensions, combined with the proposed extensions to the original dwelling, would amount to a 62% increase of the original floorspace of the dwelling. It states that this figure is based on measurements and volume calculations submitted with a previous application and the planning history of extensions at the property since 1948. While those measurements and calculations have not been provided, the planning history submitted shows that permission was granted for alterations and extensions in 1976 and a double garage in 1985. It is unclear what the 1976 extensions comprised, and whether the permission was implemented, however a double garage has been built.
9. The appellants contest the Council's figure but have not provided any floorspace figures of their own to dispute the Council's calculations. They query whether there may be some confusion over the planning history for the site, as the site has been split from the wider farm in recent years, or whether the Council's calculation includes other development nearby. However, there is no compelling evidence before me that this is the case.
10. Consequently, the evidence before me indicates that the appeal property has been extended since 1948. The appellants have not provided any substantive evidence regarding the size of the original building, the extensions that have already been built or the cumulative increase in size with the proposed extensions, to dispute the Council's evidence. Therefore, the only figures before me are those provided by the Council. On that basis, the proposal would increase the floorspace beyond what is allowed by Policy BDP4 and would amount to a disproportionate addition to the size of the original building.

11. The proposed extensions would introduce significant new built form both at ground and first floor levels. The first-floor extensions would cover a substantial section of the house, and combined with the single storey side extension, the porch and the gable end addition, would increase the footprint of the dwelling and significantly increase the overall scale of the dwelling. As a result, the proposal would harmfully erode the openness of the Green Belt in spatial terms.
12. The building is set back from the roadside and is relatively well hidden from public viewpoints and as such the visual impact of the increased bulk would be relatively small. Nevertheless, due to the scale of the proposed extensions the building would have some, albeit limited, adverse impact on the visual openness of the Green Belt when seen from within the site.
13. Consequently, the proposed extensions would adversely affect both the visual and spatial openness of the Green Belt. As a result, the proposal would be inappropriate development in the Green Belt contrary to Policy BDP4 of the BDP. As a disproportionate addition it would not fall within the exceptions listed in paragraph 145 of the Framework.
14. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Other considerations

15. The proposal would create a larger home for the appellants' family; however, the increased accommodation would be a private benefit particular to the appellants. No exceptional circumstances have been demonstrated to allow me to give their personal circumstances any more than minimal weight. The proposed extensions would be constructed using sustainable building methods and the appellants also intend to improve the energy efficiency of the rest of the building. However, I have very few details of what this would entail, and in any event, this would affect only one dwelling. Therefore, I give this benefit limited weight.
16. The proposed extensions would significantly alter the appearance of the dwelling, reorientating the house, but the design would be appropriate to the dwelling and would not harm the character and appearance of the building or the local area. This is however a separate consideration from that of openness. Nor would the proposal harm the living conditions of neighbours. The lack of harm in these respects carries neutral weight however and does not weigh in favour of the proposal.
17. The continued maintenance of the building and site does not appear to be directly related to the ability to extend the dwelling and as such I afford it negligible weight.

Conclusion and Recommendation

18. The proposed development would cause harm to the Green Belt by reason of inappropriateness and the reduction in the openness of the Green Belt, and I attach substantial weight to those harms. For the reasons set out above the

benefits of the scheme carry limited weight. Therefore, the other considerations do not, on balance, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

19. Having regard to the above, the identified conflict with the development plan and have had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

L McKay

INSPECTOR