



# Appeal Decision

Site Visit made on 31 March 2021

**by B Plenty BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 August 2021**

**Appeal Ref: APP/N0410/D/21/3268940**

**Walpole House, Denham Road, IVER SLO 0PH**

- 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 Prabh Sagoo, on behalf of Crownland Properties Holding Ltd., against the decision of Buckinghamshire Council - South Area (South Bucks).
- The application Ref PL/20/2870/FA, dated 1 September 2020, was refused by notice dated 23 November 2020.
- The development proposed is for a two-metre rear extension.

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. An extension was approved<sup>1</sup> in 2004 and later built for a two-storey side and single storey rear extension (The 2004 extension). I shall take this into account in my decision.
3. The Council's Reason for Refusal states that the proposal would be contrary to Policy GB11 of the South Bucks District Local Plan (LP) (1999), among other policies. However, this policy relates to replacement dwellings in the Green Belt and is therefore not relevant to this proposal. Consequently, I have not applied this policy in my consideration of the merits of the case.
4. A revised version of the National Planning Policy Framework (The Framework) was published with immediate effect on 20 July 2021. This has not materially changed the substance of the policy framework associated with the proposal. Therefore, I have taken into account the new Framework without causing prejudice to any party.

## Main Issues

5. The main issues are:
  - whether the proposed extension would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (The Framework) and any relevant development plan policies;
  - the effect on the openness of the Green Belt; and
  - if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by

<sup>1</sup> Planning Application Reference: 04/01511/FUL

other considerations, so as to amount to very special circumstances to justify it.

## **Reasons**

### *inappropriate development*

6. The appeal site is within the Metropolitan Green Belt. Policy GB1 of the LP explains that development within the Green Belt will only be permitted where it meets a listed exemption. Policy GB1(e) allows for limited extension, alteration or replacement of existing dwellings. Policy GB10(b) requires such extensions, when taken together with earlier extensions, to be small scale in relation to the size of the original dwelling. The commentary, in support of the policy, advises that extensions that increase the floorspace by more than half will not be regarded as small scale. It also states that consideration will be taken of all previous extensions as the sum of a number of small extensions may erode the open character of the Green Belt.
7. The Framework explains that the Government attaches great importance to the Green Belt with substantial weight afforded to any harm. Paragraph 149 establishes that buildings would be inappropriate unless they would meet a listed exception. Paragraph 149(c) explains that the extension or alteration of a building would not be inappropriate provided that it would not result in disproportionate additions over and above the size of the original dwelling. Accordingly, the policy approach of the LP is consistent with the Framework.
8. The officer report, associated with the 2004 extension, explains that the original dwelling has a floor-space of around 269sqm and the extension was 134sqm, representing a 50% increase. The appellant's floorspace calculation does not account for the single-storey rear extension as an addition, rather as being part of the original dwelling. This addition is around 30-40sqm and would largely account for the disputed figures between main parties. I therefore find the Council's calculations to be more accurate in this regard. The proposed extension would be of relatively modest size by itself. However, in combination with the previous extension, it would amount to a disproportionate addition above the size of the original dwelling.
9. As it has not been demonstrated that the proposal would be any of the exceptions listed in Paragraph 149 of the Framework, it would amount to inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

### *Effect on openness*

10. The dwelling is a large property within a substantial plot. It is within a small cluster of similar plots with farm buildings behind. A mature and dense tree screen is located on the rear boundary with a more diffused boundary screen on the eastern side of the site. The site is elevated in comparison to the wider countryside and distant views of the countryside can be seen to the east. The site and rear of the dwelling is therefore partially open to wide views of the surrounding Green Belt.
11. The proposed extension would be single-storey in character, with a parapet and balustrade, and located to the rear of the dwelling. It would have a moderate impact on views within the Green Belt due to its partially screened location and seen in context with the existing dwelling. However, being partially visible from

the east it would have a moderate visual impact on the Green belt. Moreover, spatially its additional mass would add a sizeable addition to the dwelling. This would therefore represent a modest intrusion into the openness of the site and the surrounding Green Belt. Consequently, the proposal would have a moderately harmful effect on the openness of the Green Belt.

#### *Other Considerations*

12. The appellant asserts that the proposed extension would be within the confines of the rear patio area which would not be extended. However, hardstanding has a substantially lesser effect on the openness of the Green Belt.
13. The proposed extension would be constructed of matching materials and consist of a design and window configuration that would complement the existing dwelling. Furthermore, due to the size of the plot, the proposal would not result in a cramped form of development. It would also not adversely affect the character of the area or the living conditions of neighbours. The proposal would meet policy EP3, and other relevant policies of the LP, that relate to design, character and living conditions. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance.

#### *Whether there would be Very Special Circumstances*

14. Paragraphs 147 and 148 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. 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.
15. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the appeal scheme would result in moderate harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.
16. On the other hand, the other considerations I have identified are of limited weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified and therefore the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.

#### **Conclusion**

17. The proposed development would not accord with the development plan or national policy and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

*B Plenty*

INSPECTOR