
Appeal Decision

Site visit made on 17 August 2021

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st August 2021

Appeal Ref: APP/E2734/D/21/3277064

Walton Head Farm, Princess Royal Way, Pannal HG3 1LF

- 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 Murray against the decision of Harrogate Borough Council.
 - The application Ref: 21/01233/FUL, dated 23 March 2021, was refused by notice dated 13 May 2021.
 - The development proposed is the demolition of an existing single storey side extension and the erection of a two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The revised National Planning Policy Framework (Framework) was published during the course of the appeal. The national planning policy it provides in relation to the Green Belt has not changed, as is relevant to this appeal. Accordingly, I have considered the appeal on this basis.

Main Issues

3. The main issues are a) whether the proposal would constitute inappropriate development in the Green Belt for the purposes of the Framework and the development plan policy, b) its effect on the openness of the Green Belt, and c) if it is inappropriate development, 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 the development.

Reasons

4. The appeal property comprises a 2 storey house. On the side where the proposal would be sited, there is already an existing 2 storey extension, as well as the single storey extension that would be demolished to make way for the proposal. There is also an adjacent patio area. On the opposite side, there is a further 2 storey extension. A detached garage also lies on this side of the property.
5. The property is one of 3 dwellings that are positioned around a courtyard. It is understood that it was formerly a complex of farm buildings. It is well set back from the A61, from where access is taken to these properties via a shared

driveway. Otherwise, the immediate surroundings to the appeal site are countryside in nature. The site lies in the Green Belt.

Inappropriate Development

6. Paragraph 149 of the Framework states that the construction of new buildings is inappropriate in the Green Belt unless, amongst other exceptions, it involves 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.
7. Policy GS4 of the Council's Harrogate District Local Plan 2014 – 2035 (2020) reaffirms the extent of the Green Belt as shown on the policies map and states that proposals for development in the Green Belt will be determined in accordance with relevant national policy.
8. Neither the Framework nor Policy GS4 provide guidance over whether a proposal would constitute a disproportionate addition. The Council's House Extensions & Garages Design Guide Supplementary Planning Document (2005) refers to extensions up to a 50% ground floor area increase. However, the Framework refers to 'size'. I have also been referred to a 30% volume limit with regard to other appeal decisions, but this does not appear in policy or guidance. The application of these percentage figures carries limited weight in my decision.
9. 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.*" Based on the evidence before me, I find the original building constitutes the house without the extensions that I have described above. With regard to the garage, there is broad agreement between the main parties that it should not be included in an assessment of inappropriate development as it is located a fair distance away. I see no reason to disagree.
10. The appeal property has clearly already been considerably extended from what would have been the original building with the existing 2 storey extensions, in particular. The proposal would further add to this not insignificant level of existing extensions by increasing the 2 storey elements of the property. The first floor would in part be more open to create a terrace, but this would still be elevated and the remaining 2 storey part would be fully enclosed.
11. The proposal falls to be considered with the existing extensions because the Framework requires an assessment against the original building, not the extended building. The cumulative enlargement would be significant. Hence, that the proposal would not on its own add markedly to what is already a fairly large sized property is not decisive.
12. The appellant has pointed to that the cumulative extensions would be under the 50% ground floor area increase under the SPD. However, this demonstrates the shortcomings of the SPD approach because it does not take account of the volume and all external dimensions. I have considered the matter of inappropriate development on this basis, which is consistent with the Hoveringham appeal decision¹ that I have been referred to where the Inspector considered the scale, bulk, massing and built form. Comparisons with the proposal that was the subject of that decision itself and other appeal decisions

¹ Appeal Ref: APP/B3030/D/19/3241277

that I have been referred to do not greatly inform my deliberations as the proposal is to be dealt with on its own merits.

13. In these terms, assessing proportionality with regard to the policy which the Framework sets out is principally a test based on size. Compared to what I consider would have been the size of the original building, the proposal would constitute a disproportionate addition when considered with the existing 2 storey extensions. Hence, it would not comply with this exception. No other exceptions in the Framework would apply.
14. I conclude that the proposal would constitute inappropriate development within the Green Belt, and so it would not comply with paragraph 149 of the Framework. For similar reasons, it would not comply with Policy GS4.

Openness

15. Under the Framework, openness is an essential characteristic of the Green Belt. In relation to the spatial dimension, it would alter the area of land on which it would be sited in that it would increase the amount of built form. As it would relate closely to the existing house, and would include part of the patio area where there is already domestic paraphernalia, this effect would be slight. This includes with regard to the amount of land that would be enclosed.
16. In visual terms, the proposal would be well screened by the existing house, and vegetation and landform in the vicinity of the site, or else seen against the larger backdrop of the existing house.
17. In considering the impact on the openness of the Green Belt wrought by the change, the effect would be modest and I am not persuaded that it can be considered adverse. As such, the openness of the Green Belt would be preserved.

Other Considerations

18. It is not in dispute between the main parties that the proposal would not be unacceptable with regard to the effect on the character and appearance of the building and the area. The fairly modest nature of the alterations would respect the form of the existing building and sit comfortably within this former farm complex, as well as within the immediate countryside surroundings. The lack of harm in respect of character and appearance attracts neutral weight.

Conclusion

19. The proposal would be inappropriate development in the Green Belt. Paragraph 148 of the Framework establishes that substantial weight should be given to any harm to the Green Belt. Other considerations which arise do not clearly outweigh the harm. Consequently, very special circumstances do not exist. Accordingly, I conclude that the appeal should be dismissed.

Darren Hendley

INSPECTOR