



Appeal Decision

Site visit made on 18 August 2021

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal Ref: APP/U4610/D/21/3275182

Nectans, Tamworth Road, Coventry CV7 8JJ

- 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 Jerry Horn against the decision of Coventry City Council.
 - The application Ref HH/2021/0169, dated 12 January 2021, was refused by notice dated 8 April 2021.
 - The development proposed is single storey rear extensions, open porch, first floor side extension and loft conversion within roof void.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the appeal was lodged, a revised version of the National Planning Policy Framework, 2021 ('the Framework, 2021') has been released. The main parties have been consulted on this and I have taken this into account where relevant to my Decision.

Main Issues

3. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt in terms of the Framework, 2021 and development plan policy.
 - ii) If the proposal would be inappropriate development 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 necessary to justify it.

Reasons

4. Policy GB1 of the Coventry Local Plan (2011-2031) ('LP') specifies that inappropriate development within the Green Belt will not be permitted unless very special circumstances exist, and that proposals will be assessed in relation to the relevant national planning policy.
5. Paragraph 149 of the Framework, 2021 sets out certain exceptions for new buildings in the Green Belt and includes (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.' The Framework, 2021, 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.

6. Neither national guidance nor local policy gives specific direction on how to come to a view as to what constitutes 'disproportionate additions' beyond a comparison between what is original and the extent of any additions. This requires an assessment as to whether the proposal would, when taken in combination with any previous additions to the original building, result in disproportionate additions in terms of size. As a result, an element of planning judgement is also involved in the decision-making process. In my view an assessment of size includes aspects such as footprint, floorspace, height and volume.
7. On the information available to me, the original building has been granted planning permissions for side and rear extensions, including a two-storey side extension. In particular, the Council state that the original building incorporated about 6m of space on either side. In the absence of any information to the contrary, this leads me to conclude that the original building would have incorporated a modest footprint.
8. Moreover, based on my observations and information before me, the original building has already been extended close to the side boundaries of the plot. Therefore, the extent of the existing extensions have already considerably increased the footprint of the original building.
9. The substantive elements of the current proposal are the single storey rear extension and the first-floor side extension. The rear extension would extend across nearly the full width of the property, with a depth of about 6m. This, in itself represents about a two-third increase in the already extended footprint of the original building. Therefore, the proposed additions, together with the existing extensions would substantially increase the footprint of the original building.
10. There would also have been an inevitable increase in floorspace, and volume associated with the existing extensions. In addition to this, the proposed rear extension would appreciably increase the volume of the existing building. The first-floor extension along one side of the building to alter the existing catslide roof to a hipped roof would add further volume and height to the building.
11. Therefore, cumulatively, the extent of existing and proposed extensions would result in disproportionate additions over and above the size of the original building. Consequently, the proposal fails the size test and does not meet the exception under Paragraph 149 (c) of the Framework, 2021.
12. I have been referred to examples of approved extensions to existing buildings¹ nearby which are located within the Green Belt. Nevertheless, even if I were to accept that the above examples represent size increases which the Council has found to be proportionate additions to buildings in the Green Belt, the appellant has not shown how the size increase arising from the existing and proposed extensions to the original building at the appeal site compare to these examples. Therefore, I attach limited weight to these.
13. For the above reasons, the proposal would result in inappropriate development in the Green Belt.
14. The Framework, 2021 states that the essential characteristics of Green Belts are their openness and their permanence.

¹ The Langlands and Restormel

15. Given that the existing extensions to the original building have been approved, it therefore follows that these were considered not to harm the openness of the Green Belt.
16. The increased footprint and volume as a result of the proposed rear extension would reduce the spatial openness of the Green Belt. However, this would be against the backdrop of the existing property and its substantial rear garden which is largely screened. The increase in volume arising from the proposed first-floor extension would have a greater visual impact on the openness of the Green Belt when seen from Tamworth Road. Nevertheless, the appeal property is located amongst ribbon development of mainly large, detached dwellings some of which have been extended. Consequently, whilst there would be some reduction in openness having regard to the overall context of the appeal property, the proposal would only result in moderate harm to the openness of the Green Belt.

Other Considerations

17. The Framework states that inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
18. Whilst I have had regard to the approvals for extensions to nearby buildings in the Green Belt, for the reason already given, I only attach limited weight to these.
19. As the development would be within the confines of a residential plot, it would not conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Nonetheless, this and the lack of any harm to the living conditions of neighbours and the acceptable design of the proposed scheme are neutral factors in the overall balance.

Green Belt balance

20. Having regard to the development plan and national planning policy, the proposal comprises inappropriate development in the Green Belt. There would also be moderate harm arising from the proposal on the openness of the Green Belt.
21. The Framework, 2021 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight is given to any harm to the Green Belt.
22. Having taken account of all matters raised in support of the proposal, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the proposal conflicts with Policy GB1 of the LP and the Green Belt provisions of the Framework, 2021.

Conclusion

23. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR