



Appeal Decision

Site Visit made on 16 September 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2021

Appeal Ref: APP/W4705/D/21/3279897

4 Thorngate, Whalley Lane, Thornton, Bradford BD13 3SD

- 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 James Dyson against the decision of City of Bradford Metropolitan District Council.
- The application Ref 21/02472/HOU, dated 7 May 2021, was refused by notice dated 2 July 2021.
- The development proposed is proposed two storey side extension and rear balcony.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - ii. The effect of the proposal on the openness of the Green Belt
 - iii. The effect of the proposal on the Character and appearance of the area.
 - iv. If the proposal would be 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 it.

Reasons

Whether inappropriate development

3. The Framework identifies 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 their permanence. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
4. The Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, subject to a number of exceptions¹. Relevant to the appeal scheme is c) the extension or alteration

¹ Paragraph 149, National Planning Policy Framework

- of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. The Decision Notice refers to Saved Policy GB1 of the Replacement Unitary Development Plan for the Bradford District (RUDP), a general policy restricting development in the Green Belt. However, from my other casework I am aware that the relevant policy for extensions and alterations of dwellings in the Green Belt is Saved Policy GB5 of the RUDP which states that such proposals will not be granted planning permission unless specified criteria are met, relating to the character of the Green Belt, the character of the original dwelling and adjacent dwellings and that the extension is not a disproportionate addition.
 6. In relation to exception c), the Framework and Saved Policy GB5 of the RUDP do not provide a definition of what constitutes a disproportionate addition over and above the size of the original building. In the determination of the application the Council used guidance within its Householder Supplementary Planning Document (the SPD). Section 14 of the SPD identifies a specific figure of "30% of the original cubic volume" as being "likely to be considered disproportionate".
 7. Furthermore, the SPD refers to the consideration of the Landscape Character Supplementary Planning Document, However I have not been provided with a copy of that document. The Appellant describes the area as consisting of "hundred and hundreds of acres of pristine undeveloped green field sites" and at the site visit I saw that the area was predominantly agricultural rolling countryside with smaller pockets of development, often related to agriculture now or in the past, and established settlements.
 8. The planning history of the appeal property detailed in the Officer's Report (OR) identifies a number of earlier extensions and alterations to the property. The OR details that these additions are "around a 75% increase in volume over the original dwelling" and that the appeal scheme "would add a further 138% increase from the original building". These figures are not disputed by the Appellant.
 9. The Appellant has referred to the extensions and alterations to the other neighbouring properties and I saw at the site visit that these are indeed significant in size and scale. I am not aware of all of the policies and circumstances that applied at the time that planning permission was granted, if indeed it was, for these extensions and alterations. Nonetheless, that these properties existing is a material consideration and I have had regard to this in reaching my decision.
 10. In considering what constitutes a disproportionate addition it is also necessary to consider the scale, bulk, massing and built form that would result from the changes sought. In this instance the additional built form proposed by this appeal is shown on the submitted plans as being significant in itself and in proportion to the existing and the original dwelling. I note that the original dwelling would have been very small but that the existing extensions have notably improved the living accommodation. The appeal scheme would however fundamentally change the size and scale of the property.
 11. Therefore, for the reasons detailed above I find that the proposal would result in disproportionate additions over and above the size of the original building

and is therefore inappropriate development in the Green Belt contrary to Saved Policy GB5 of the RUDP and the provisions of the Framework.

Openness

12. Openness is an essential characteristic of the Green Belt and openness has a spatial aspect as well as a visual aspect. The appeal site and proposed extension is situated in an elevated position and thus is visible to the surrounding area, including from the adjacent road.
13. However, while the extensions are shown on the submitted plans as being a disproportionate addition to the dwelling, it is nonetheless still domestic in scale and appearance and small in the context of the surrounding landscape and scale of the Green Belt.
14. In that the bulk of the building would be increased by additional built development, the proposal would reduce the openness of the Green Belt and while the loss of openness would be minimal, the Framework nonetheless indicates that substantial weight should be given to any harm to the Green Belt. The appeal scheme would harm the openness of the Green Belt contrary to guidance set out in the Framework.

Character and Appearance

15. The appeal property is one part of a pair of modest semi-detached properties that form part of a small hamlet, alongside a short terrace of similar stone-built properties, with only a very small gap between the terrace and semi-detached properties.
16. The Appellant has referred to, and I saw at the site visit, that the attached and other neighbouring properties have been subject to extensions that are not dissimilar in scale to that proposed here.
17. While I have not been provided with all the details of the policies and circumstances that applied at the time that these extensions were granted planning permission, I nonetheless saw at the site visit that these properties, in part, influence the character and appearance of the area.
18. The submitted plans show that the proposed extension is in itself of a significant scale, without any material set back at the front elevation or to the roofline that could result in the extension appearing as subordinate to the existing dwelling, as required by the SPD. Furthermore, as a result of the sloping ground, the proposed extension would appear as visually prominent and of a greater scale with a large, and mostly featureless, front elevation in contrast to the existing and attached property.
19. Therefore, for the reasons detailed above I find that the appeals scheme would harm the character and appearance of the area and thus is contrary to Policies DS1 and DS3 of the Core Strategy, that amongst other matters seeks development that that is of a high-quality design and respects its context and the guidance set out in the SPD.

Other Considerations

20. As detailed previously, the appellant has referred to extensions to neighbouring properties in the past and the precedent that this sets for the appeal scheme. The appellant details that the current parking arrangements would be improved

as a result of the appeal scheme. The existing arrangements, using an off-road cobbled area, did not appear at the site visit to be a significant highway safety issue and it is not clear to me that the new parking area could not be provided without the proposed extension.

21. In these circumstances I give some weight to the precedent set by existing developments and the improvements to parking arrangements.
22. The Appellant's Statement of Case details that the plans could be amended to respond to some of the concerns raised by the Council, nonetheless no such amendments have been made and I have determined the appeal on the basis of the evidence before me.

Conclusions

23. The proposed development would be inappropriate development and the Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, there would be a minimal loss of openness.
24. On the other hand, the appeal scheme is not dissimilar to other extensions in the area and would potentially realise highway safety improvements. However, these other considerations do not clearly outweigh the totality of harm which is the test that they have to meet. Consequently, very special circumstances do not exist.
25. For the reasons given the overall conclusion is therefore that the appeal should fail.

Mr M Brooker

INSPECTOR