



Appeal Decision

Site visit made on 12 April 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2022

Appeal Ref: APP/P0240/D/21/3282457

Farfields, Leighton Road, Stanbridge, LU7 9HR

- 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 Mrs Suzie Bathie-Neale against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/01601/FUL, dated 3 March 2021, was refused by notice dated 18 August 2021.
 - The development proposed is removal of existing boiler room and log store, construction of two storey side extension with roof dormers front and back, two No. existing roof Velux windows replaced with new roof dormers and existing ground floor flat roof replaced with new pitched roof.
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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:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies and linked to this the effect of the proposal on the openness of the Green Belt
 - if the proposed development is inappropriate, 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 required to justify the proposal.

Reasons for the Recommendation

Whether inappropriate development and openness

4. The Framework establishes that new buildings within the Green Belt are inappropriate development subject to a number of exceptions. This includes the exception in paragraph 149 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 states 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. The exception set out in Paragraph 149 g) permits the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
6. Policy SP4 of the Central Bedfordshire Local Plan 2015-2035 (LP) (adopted 2021) states that development proposals within the Green Belt will be assessed in accordance with government guidance contained within the Framework and the Planning Practice Guidance. Section 7 of the Design in Central Bedfordshire Design Guide (adopted 2014) states that, as a guiding principle, in order to be considered as proportionate the original building should not be added to by more than 60%. The impact of the extension in terms of floorspace, volume, massing and design will be considered.
7. The property is a dormer bungalow with a detached garage next to it. The dwelling is set back from the roadside in a large site on raised ground, behind mature trees and hedgerows. The site is in the open countryside and the area is mostly comprised of limited residential development alongside modern industrial units to the west of the site which are located on the edge the settlement of Leighton Buzzard.
8. From the planning history for the site, it appears many of the previous additions to the dwelling are to the rear of the property, creating a much deeper building than the original planform. Consequently, when viewed from the roadside the scale of the dwelling does not appear to be substantially different than the original building. However, in terms of overall built form, it is already significantly larger.
9. The Council state that the proposed extension alongside previous additions to the building would result in the footprint of the original building being extended by approximately 67% and the total floorspace increased by around 115%. The appellant does not dispute these figures.
10. The proposed side extension would add further bulk and massing to the dwelling. The demolition of a single storey boiler room and log store would partly offset this and limit the increase in footprint. However, the proposed second storey would result in a significant volumetric increase in the scale of the building compared to the existing built form. Moreover, the two large dormer windows, which would encompass essentially the full roof slope of both sides of the extension, would create a large, bulky roof. As such, the proposed extension would be substantially larger in scale than the two buildings that would be demolished.
11. The small dormer windows proposed to the rear would be limited in scale and the pitched roof above the existing bay window would be a very limited addition. In isolation therefore, these would not be disproportionate additions to the dwelling.
12. Nevertheless, while the footprint of the extended dwelling would not be significantly beyond the 60% guide set out in the Design Guide, the overall increase in built form over one and a half storeys would, when combined with

the existing additions, result in disproportionate additions over and above the size of the original building. Consequently, the proposal would not accord with the exception set out in paragraph 149 c).

13. The Framework states that previously developed land is land which is or was occupied by a permanent structure and states that this excludes land in built-up areas such as residential gardens. Given that the site is located within the open countryside it is not within a built-up area. Therefore, the site is previously developed land and the proposal would partially redevelop it.
14. The proposed side extension would increase the scale of the dwelling compared to the existing log store and boiler room. Moreover, the dormer windows proposed across the whole dwelling would add further bulk, albeit that the roof over the bay window and rear dormers would be limited additions to the overall scale of the dwelling. Accordingly, the proposal would erode the spatial openness of the Green Belt compared to the existing situation.
15. The dwelling is well screened and is not overly prominent within the area, despite being located on higher ground. The side extension would also be located adjacent to mature hedgerows which would visually screen the extension from the east. Nevertheless, extending to the side at one and a half storey height would erode the visual openness of the Green Belt, although to a limited degree.
16. Consequently, the proposal would reduce both the visual and spatial openness of the Green Belt. Accordingly, the proposal would have a greater impact on the openness of the Green Belt than the existing development and would not accord with the exception set out in paragraph 149 g). As a result, it would be inappropriate development in the Green Belt.

Other considerations

17. 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.
18. The proposal would enhance and increase the functionality and floor space of the dwelling, but this would be a private benefit to the occupiers. Given the modest scale of the development, I attribute very limited weight to this consideration.
19. Whilst the nearby industrial units are large buildings, the policy test in paragraph 149 c) is whether the proposal would result in disproportionate additions over and above the size of the original building, not whether the scale of the proposal would be disproportionate when compared with the surrounding properties. While those units are visible from the Green Belt in this location, the properties themselves are outside of the Green Belt and do not directly affect its openness. Those buildings are located on the opposite side of the road to the site and given the distance between them and the property they have a limited impact upon the context within which the dwelling and the proposed extension would be viewed. Consequently, the presence of these buildings does not alter my conclusion on openness.

20. The appellant has identified that the Green Belt boundary near to the dwelling could be changed to exclude the site, however there is no evidence before me that this has occurred to date, or what stage any such proposal has reached. I can therefore give this very little weight.
21. The design of the extension would follow the existing form of the dwelling and would not harm the character or appearance of the dwelling. Nevertheless, good design would be expected of any development and is a neutral factor.

Whether very special circumstances exist

22. The proposal development would cause harm to the Green Belt by reasons of inappropriateness and reduction in openness and I attach substantial weight to those harms. The other considerations of the scheme do not, either individually or cumulatively, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

23. Therefore, the proposal would conflict with SP4 of the LP and paragraph 149 of the Framework. Having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

24. 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