

# Appeal Decision

Site visit made on 28 June 2022

**by Helen Smith BSc (Hons) MSc MA MRTPI**

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

**Decision date: 13 July 2022**

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**Appeal Ref: APP/P1805/D/22/3298778**

**Rosebank Cottage, 12 Dale Hill, Blackwell B60 1QJ**

- 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 & Mrs R & E Jones against the decision of Bromsgrove District Council.
  - The application Ref 22/00095/FUL, dated 20 January 2022, was refused by notice dated 9 May 2022.
  - The development proposed is rear first floor bedroom extension and bridge link to existing room over garage.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - Whether the proposal would be inappropriate development in the Green Belt.
  - The effect of the proposal on the openness of the Green Belt.
  - The effect of the proposal on the character and appearance of the host dwelling and surrounding area.
  - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

## Reasons

### *Whether Inappropriate Development*

3. The National Planning Policy Framework (Framework) explains that the erection of new buildings in the Green Belt should be regarded as inappropriate development. Paragraph 149 includes a closed list of exceptions. One of which is 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. Policy BDP4 of the Bromsgrove District Plan (2017) (BDP) sets out that the development of new buildings in the Green Belt is considered inappropriate, except in specific circumstances. The circumstances are broadly consistent with those set out in the Framework.

4. The appeal property has previously been extended. The Council's evidence on this matter advises that the proposal would take cumulative extensions to approximately 132.98% increase in floor area over that of the original building. The appellant has not disputed this figure. Therefore, the proposed extension, in addition to those already constructed, would significantly increase its floorspace and massing. Consequently, on the evidence before me, the proposed extension would amount to a disproportionate addition to the original building.
5. I have had regard to paragraph 150(d) of the Framework. However, as the proposal would also increase the height of the existing garage building, I conclude that the result would be materially larger than the original building. Combined with the proposal as a whole, this would result in a disproportionate addition over and above the size of the original building.
6. For the reasons above, the proposal would be inappropriate development in the Green Belt. The proposal would therefore conflict with the Framework and Policy BDP4 of the BDP, which seeks to protect the Green Belt by only allowing limited extension, alteration or replacement of existing buildings in line with the Framework. In addition, the proposal would not comply with the Council's High Quality Design Supplementary Planning Document (2019) (SPD), which sets out, in regard to this main issue, the design principles for extensions in the Green Belt. I am required to attach substantial weight to the harm caused by virtue of the proposal's inappropriateness.

#### *Openness of the Green Belt*

7. The proposal would increase the mass and bulk at first and ground floor levels to the rear of the existing dwelling. It would also increase the volume of the separate garage building and introduce a link between the main dwelling and the garage at first floor level. The resultant dwelling would be deeper at the rear and its overall bulk would be significantly increased from that of the original dwelling. As a result of the increase in built form, the proposal would significantly reduce the openness of the Green Belt in spatial terms.
8. The proposed rear extension would be largely screened from the road and public vantage points, being positioned behind the existing dwelling. However, the proposed garage extension and link feature would be seen from public vantage points from the road. The proposed garage extension and link feature would result in an increase in volume and bulk, which would be a notable change from what is there now. This would result in a marked reduction to the openness of the Green Belt in visual terms.
9. Paragraph 137 of the Framework makes it clear that the essential characteristics of Green Belts are their openness and their permanence. For the above reasons, the proposal would diminish the contribution the appeal site makes to the openness of the Green Belt in spatial and visual terms.
10. The proposal would therefore conflict with the Framework and Policy BDP4 of the BDP (2017), which seeks to protect the Green Belt. In addition, the proposal would not comply with the SPD, which seeks, in regard to this main issue, to ensure proposed extensions do not have an adverse impact on the openness of the Green Belt. As above, I am required to attach substantial weight to this element of Green Belt harm.

### *Character and Appearance*

11. The appeal property is a detached dwelling set back from the road and sat within generously sized grounds. It is part of a small cluster of large, detached dwellings in spacious plots in the countryside.
12. The scale, height and massing of the proposed two-storey rear extension would have an unsympathetic and disproportionate impact on the host dwelling. This is because the ridge height of the proposed two-storey rear extension would appear taller than the existing rear elevation, with a roofline protruding above. In addition, the height of the proposal's eaves would be lower than the existing. The proposal would therefore be at odds with the existing dwelling, appearing awkward and unrelated to its scale and design. The width of the rear facing feature gable would also appear wider than the existing rear gable. This would unbalance its relationship with the rear elevation, to the detriment of the structure and harmony of the host dwelling. How screened this element may be from the street scene would not acceptably reduce the design harm that would arise.
13. The proposed link extension between the main building and the garage would diminish the visual break between these two separate buildings. This would harm the legibility of the host dwelling and its original form. This would be further exacerbated by the height and bulk of the link, which would be viewed from the street-scene.
14. The proposed alterations to the garage building, which would include raising the roof level to create a bedroom, would increase the buildings scale and bulk. Although its positioning is set back from the main building, the ridge height of the proposed garage would be of a similar height to the main building. Combined with the link feature at first floor level, the proposal would not appear subordinate to the host dwelling. This would be of visual detriment to the street-scene thereby causing unacceptable harm to the character and appearance of the area.
15. Whilst detailing, such as the proposed materials, would be somewhat sympathetic to the character and appearance of the host dwelling and could be imposed by a condition, this would not outweigh the harm identified above as a result of the scale and form of the proposal.
16. The proposal would therefore have an adverse effect on the character and appearance of the host dwelling and the surrounding area. As such, it would fail to accord with Policy BDP19 of the BDP, which seeks to ensure new developments achieve good design and enhance the character and distinctiveness of the local area. In addition, the proposal would not comply with the SPD, which seeks, in regard to this main issue, to ensure proposed extensions appear subordinate in scale and mass, and enhance, protect and give consideration to any impact on the host dwelling. It would also fail to accord with the design objectives of the Framework.

### *Other Considerations*

17. Whilst the proposal may not cause any unacceptable impact of the living conditions of neighbouring occupiers, this is not a benefit of the scheme. It is a lack of harm which would be a neutral matter.

18. I appreciate that the appeal building may not have been extended in some considerable time. That said, Green Belt policy is well established and, taking into account the circumstances of the case before me, concerns itself with how a building might have been extended since it was original. I see no compelling reason to depart from that principle.
19. It is suggested that neighbouring properties have had extensions in recent years. However, each case must be decided on its own merits, and I am not fully aware of all the circumstances relating to each of these other extensions. Nonetheless, I have dealt with this appeal on its own individual merits and have found the proposal not to accord with the Framework or the development plan.
20. The appellant claims that the proposal's size is proportionate to the building, and the additional footprint is limited to the rear extension on ground that is currently a patio. Be this as it may, such would still result in a disproportionate addition over and above the original building, for the reasons I have explained. In addition, and whilst the proposal would result in additional living accommodation and no doubt improvements to the dwelling, this would be a private benefit to which I could attach only limited weight against the harms I have found.
21. The proposed development would regenerate an existing building by recycling an existing room above the garage and repairing its timber work. However, such would still lead to harm to the Green Belt and the character and appearance of the area in the terms I have described. I am also mindful that rotten timber can be repaired without the need for either express planning permission or indeed such an increase to the height of a given roof.
22. The appellant refers to potential fallback options in the shape of development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO). However, there is limited information within the evidence regarding the detail of such permitted development. Whether it would be likely and indeed whether it would be more or less harmful than the appeal scheme. I therefore give limited weight to the potential permitted development fallback.
23. The proposal would not be located on grassland and is unlikely to have an impact on habitats. However, these are also neutral matters that do not weigh in favour of the proposal.

## **Conclusion**

24. The proposal would be inappropriate development and would cause harm to the openness of the Green Belt. Paragraph 148 of the Framework states that substantial weight should be given to this identified harm. In addition, harm has also been identified to the character and appearance of the host dwelling and the surrounding area.
25. As set out above, other considerations put forward in support of the proposal attract limited weight. Therefore, 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.
26. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a

decision other than in accordance with it. The appeal should therefore be dismissed.

*Helen Smith*

INSPECTOR