

Appeal Decision

Site visit made on 27 September 2022 by Ms S Maur BA (Hons)

Decision by E Symmons BSc (Hons) MSc MArborA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2022

Appeal Ref: APP/N0410/D/22/3297339

11 Harcourt Road, Dorney Reach SL6 0DT

- 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 Debattista against the decision of Buckinghamshire Council – South Bucks Area.
 - The application Ref PL/21/4367/FA, dated 12 November 2021, was refused by notice dated 8 March 2022.
 - The development proposed is a part two storey, part single storey, part first floor rear extension, new roof over garage and enclosure of existing porch canopy.
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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.

Procedural Matters

3. Policy GB10 South Bucks District Local Plan 1999 (Local Plan) makes reference to Policy EP3 which relates to character and appearance considerations. The Council have not identified any features of the proposal which would conflict with Policy EP3, and I have no reason to disagree.
4. Although there was a draft Joint Local Plan which proposed to remove Dorney Reach from the GB, this was withdrawn and not adopted. Notwithstanding the information provided by the appellants, the full details relating to all of the circumstances surrounding the withdrawal of this plan have not been provided to me. Consequently, the proposal must be assessed against the current adopted Local Plan which identifies that the host dwelling is located within the GB. I have therefore determined this appeal accordingly and with reference to GB policy.

Main Issues

5. The main issues are:
 - whether the proposal would be inappropriate development for the purposes of the development plan and the National Planning Policy Framework;
 - the effect of the proposal on the openness of the Green Belt;

- the effect on protected species; and
- Whether any 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

6. The appeal site is located on the south-eastern side of Harcourt Road within the village of Dorney Reach. The properties on the street are generally set back from the road and demonstrate variety in terms of scale, design and appearance. The neighbouring properties on either side are both two storey detached dwellings which have been extended at two storey level.
7. The host dwelling is a large two storey detached house with an attached garage and a large garden that extends out to the back. The property has an existing single storey rear extension. The proposal includes a part two storey, part single storey, part first floor rear extension, a new roof over the existing garage and the enclosure of an existing front porch canopy.

Whether inappropriate development in the Green Belt

8. The appeal property is located within the Metropolitan Green Belt (GB) as defined in the Local Plan. The National Planning Policy Framework (the Framework) directs that the construction of new buildings should be regarded as inappropriate in the Green Belt, save for a number of exceptions. One of these, paragraph 149(c) 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.
9. Saved Policies GB1 and GB10 of the Local Plan are broadly consistent with the Framework. Policy GB1 has a presumption against development in the GB other than for a number of exemptions. Of these GB1(e) includes, amongst other matters, limited extensions to existing buildings. Policy GB10 expands upon this in requiring that the extension, together with any earlier extensions, would be integral to, and of a small scale in relation to the size of the original dwelling and to the curtilage. The supporting text under Policy GB10 details that extensions which would result in the original dwelling having increased its floorspace by more than half will not be regarded as small scale.
10. The Council states that the original dwelling had a floor area of around 113sqm and has been extended on previous occasions. The proposal would add around 55sqm in addition to previous extensions, resulting in a dwelling with a total floor space of around 241sqm, representing an uplift of around 112%. The appellant does not dispute these figures. While Local Plan Policies and the Framework may not define what a disproportionate addition is with specific percentage increases, in this particular instance, the combination of the previous extensions and proposed scheme would over double the size of the original dwelling. Whilst the addition at first floor level would be positioned above an existing single storey rear projection at ground floor level, it would nevertheless increase the total floor area and the added bulk and mass.

11. In light of the above the proposed extensions would result in disproportionate additions over and above the size of the original building. The proposal therefore amounts to inappropriate development which would conflict with Policies GB1 and GB10 of the Local Plan. As per paragraph 147 of the Framework, inappropriate development is by definition, harmful to the GB to which I attribute substantial weight.

Openness

12. Paragraph 137 of the Framework sets out that the fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of GBs are their openness and their permanence. The effect of a development on the openness of the Green Belt has a spatial as well as a visual aspect.
13. While the proposal would still leave a relatively large area of land to the rear of the site, the part ground floor and part first floor extension would extend the rear and side projection of the building at both ground and first floor level, increasing its bulk. This would significantly lessen the gap between the dwelling and No.11. When taken together with the existing extension this would result in the dwelling occupying space across the majority of the width of the plot.
14. The existing porch is a light structure, with gaps to the sides and front. The proposal would fill these gaps and create a more solid and visually prominent structure with a greater mass than that of the existing.
15. When taken together, the combined effect of the proposals to the front porch canopy and rear extensions would have a moderate impact on the openness of the GB.

Effect on protected species

16. On my visit I noted many mature trees in the local area and that the appeal dwelling is an older property. Therefore, there is the possibility that there may be protected species located in the roof. As the proposed extensions would remove a significant proportion of the roof, adequate survey information would need to be provided to demonstrate whether these protected species are present on the site and whether the proposal would be likely to harm the habitat.
17. ODPM Circular 06/2005, paragraph 99 recommends that *'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'* and that *'the need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions except in exceptional circumstances'*. The appellant has not submitted an ecology assessment and has advanced no exceptional circumstances.
18. The appellant states that developments shown within Appendices B and C did not require surveys for protected species despite works to the roof areas. However, no detail has been provided regarding the age of these properties or the suitability of the surrounding area as habitat. In the absence of this information, I cannot draw any meaningful parallels.

19. Core Policy 9 of the South Bucks Core Strategy (2011) does not specifically require ecology assessments to be submitted with applications for residential extensions. However, the proposal does not meet the overarching aim of the policy which broadly seeks to protect habitats and their biodiversity. The proposal therefore conflicts with this policy.

Other Considerations

20. The Framework states that inappropriate development should not be approved, except in very special circumstances.
21. I appreciate the appellants' wish to alter and upgrade their property however, this is primarily a personal benefit and there is no evidence to suggest that the proposal is the only way to achieve this. This consideration therefore attracts limited weight.

Other Matters

22. Two recent examples of extensions that have been constructed within other GB settlements have been provided in Appendices B and C. However, these were determined within the context of different local plan policies. Furthermore, full details have not been submitted regarding the original footprint of the dwellings. I am unable to appropriately assess their relative impact on the GB when compared with the proposal before me. Therefore, I give these examples limited weight.
23. The appellant has submitted Decision Notices for two neighbouring properties at Nos 9 and 15 which have been extended. However, no information has been submitted regarding their footprints, the context of the extensions in terms of the size of the original dwelling or if they had relevant very special circumstances applied. I am therefore unable to draw any parallels between the appeal proposal and these examples. In any event, each case must be considered on its own merits and this matter is therefore given limited weight.

Conclusion and Recommendation

24. The Framework directs that inappropriate development is by definition, harmful to the GB. It goes on to explain that substantial weight should be afforded to any harm to the GB. The proposal does amount to inappropriate development and would cause moderate harm to the openness of the GB. I afford this harm substantial weight. In addition, the proposal has the potential to cause harm to protected species. This is an adverse impact to which I also give substantial weight given the high level of legal protection afforded to protected species.
25. The Framework advises that very special circumstances will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As the other considerations raised carry only limited weight in support of the proposal which do not clearly outweigh the harm, very special circumstances do not exist.

26. Having regard to the above, the development would not accord with the development plan when considered as a whole and the Framework. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

27. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

E Symmons

INSPECTOR