



Appeal Decision

Site visit made on 18 April 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 April 2023

Appeal Ref: APP/P1805/D/22/3307437

The Firs, Alcester Road, Portway, Worcestershire B48 7HT

- 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 Andrew Peters (AP Building Services Ltd) against the decision of Bromsgrove District Council.
 - The application Ref 22/00438/FUL, dated 24 March 2022, was refused by notice dated 29 July 2022.
 - The development proposed is a first floor extension to side to create bedroom and ensuite.
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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 having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies, including its effect on openness;
 - the effect of the proposal on the character and appearance of the building and surrounding area; and
 - if the proposal is 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 the development.

Reasons

Whether inappropriate development in the Green Belt

3. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in Paragraph 149. Under Paragraph 149 c), the extension or alteration of a building is allowed 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) reflects the Framework in this regard.
4. Whilst the Framework does not provide a definition of 'disproportionate additions', BDP Policy BDP4 interprets this as increasing the size of the original dwelling beyond 40% or exceeding a maximum total floor space of 140m²; the scale of development must also have no adverse impact on the openness of the

Green Belt. Any extensions above this threshold would be viewed as inappropriate development and would only be permitted where very special circumstances exist.

5. Both parties are largely in agreement that the original dwelling floor space is in the region of 50m² and post-1948 extensions amount to approximately 75m². The proposed extension would add just over 30m² of floorspace. Considering the existing extensions and the appeal proposal, the Council calculate an overall rise of 211% over and above the original dwelling. A figure not disputed by the appellant. Whilst it is acknowledged that the appellant has substantially reduced the size of the proposal, the totality of the extensions vastly exceeds the 40% threshold, as well as exceeding the maximum total floor space.
6. The Framework advises that openness is an essential characteristic of Green Belt policy and has a spatial as well as a visual dimension. The appeal property is clearly visible from the adjacent highway and the openness of the Green Belt is evident around the property and the wider area.
7. The extension would add an additional storey to the rear projection, with an increased prominence contrasting with the existing extensions. The visual impact would be heightened by the ridge height above that of the building to which it joins, and it would be clearly visible from the road. It would also spatially increase the form and massing of the existing building and in doing so would result in a harmful loss of openness. Consequently, the scale of the proposed extension would have a significant impact on the openness of the Green Belt.
8. The appeal proposal would be a disproportionate addition and therefore inappropriate development in the Green Belt; it would also harm the openness of the Green Belt. It would conflict with BDP Policy BDP4 and the Framework. Inappropriate development is, by definition, harmful to the Green Belt and the Framework directs that substantial weight should be given to this harm.

Character and appearance

9. The appeal property is a modestly sized, two storey dwelling of traditional form and character facing the roadside with a long, linear, L-shaped, single storey extension to its southern gable. It is part of a loose cluster of dwellings along the roadside which are of mixed character set in an area of open countryside outside of any defined settlement boundaries and with a strong rural feel.
10. Despite the significant footprint of the extensions relative to the original dwelling, their modest form, height and detailing have ensured that they are complimentary, subordinate additions, retaining its traditional character. The building also contributes positively to the character of the surrounding area owing to its position on the roadside and its open, rural context.
11. Although the ridge height of the proposed extension would be marginally below the original dwelling, the first floor extension at the far end of the single storey additions would disrupt the scale, form and subordinate nature of the additions. It would represent a dominant and bulky form, visually competing with the original dwelling. Furthermore, the elevated ridge height, uncharacteristic, hipped roof and dormer window, together with an unbalanced arrangement of the fenestration to the south elevation would exacerbate the visual harm to the original dwelling. This overly-dominant proposal would be clearly visible from

the roadside and represent an incongruous addition and I have not been directed to any similar extensions in the area.

12. The appeal proposal would have a harmful effect on the character and appearance of the building and surrounding area and would conflict with BPD Policy BDP19 and the Council's High Quality Design SPD. These seek to ensure that development achieves a high standard of design and is an appropriate form and scale to compliment the building and surrounding area. It would also not meet the high-quality design expectations of Section 12 of the Framework.

Other considerations and very special circumstances

13. Very special circumstances would need to exist to justify granting permission for the development because it would constitute inappropriate development in the Green Belt and harm the openness. Paragraph 148 of the Framework advises that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless that harm, and any other harm, is clearly outweighed by other considerations.
14. The appellant suggests that the existing dwelling is small by modern standards and the room depth is constrained by the property boundary. This has resulted in an elongated footprint with an awkward layout of rooms. The proposal would provide a first floor bedroom and ensuite to bring the property up to a reasonable standard, with a more efficient layout and represent a lifetime home. However, whilst these factors are advocated as very special circumstances and I recognise that the proposal would enhance the living conditions of the occupants, these are private benefits and attract little weight.
15. The proposal would not detrimentally impact on the living conditions of neighbouring occupants and there are no objections from neighbours or the Parish Council. However, these are neutral matters neither weighing in favour or against the proposal.
16. Taken as a whole, I find that the other considerations in this case do not clearly outweigh the significant harm that I have identified. In concluding, therefore, the harm by reason of inappropriateness, and any other harm, would not be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal. As such the proposal would be in conflict with BDP Policy BDP4 and the Framework.

Conclusion

17. For the reasons set out above, having regard to the development plan as a whole and all other material considerations, including the Framework, the appeal is dismissed.

G Bayliss

INSPECTOR