



Appeal Decision

Site visit made on 2 May 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 May 2023

Appeal Ref: APP/U4610/D/22/3310376

250 Hawkes Mill Lane, Allesley, COVENTRY CV5 9FJ

- 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 P Slater against the decision of Coventry City Council.
 - The application Ref HH/2022/1634, dated 21 June 2022, was refused by notice dated 22 August 2022.
 - The development proposed is a two-storey side and rear extension and single storey rear extension with flat roof and glazed lantern.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed extension would amount to inappropriate development in the Green Belt,
 - the effect of the proposal on the openness of the Green Belt, and
 - 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 very special circumstances to justify it.

Reasons

Inappropriate development

3. The site is within a small ribbon development over-washed by the Green Belt. Policy GB1 of the Coventry Local Plan 2016 (LP) states that the Council will protect the Green Belt from inappropriate development unless justified by 'very special circumstances'.
4. Paragraph 137 of the National Planning Policy Framework (the Framework) identifies that the fundamental aim of the Green Belt is to prevent urban sprawl and keep land permanently open. Paragraph 149 establishes that new development would be inappropriate unless it meets a listed exception. Exception (c) allows for "the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building". LP policy GB1 states that small buildings, ancillary to the primary use of the land, may be acceptable and development that accords with the Framework would be considered appropriate. Although the language of this

policy varies slightly to that used in the Framework, it is largely consistent with its objectives.

5. The phrase 'disproportionate' is not defined by the Framework. This is therefore ultimately a matter for the decision maker, with much depending on the individual circumstances of the proposal. However, a conclusion on this matter cannot be arrived at purely on a mathematical calculation as a single factor as the test is primarily an objective one based on size, as referenced by the Framework. The Framework's reference to size can include considerations of floor area, height and volume.
6. The appeal dwelling stands within a large, albeit narrow, plot. The original semi-detached dwelling included some space to its side as shown by the Council in the planning history for the neighbouring dwelling. It was originally a modest dwelling with a relatively spacious plot. The Council has determined that the floorspace of the original dwelling was around 82sqm. It was extended in around 2007 with the addition of a comparatively substantial two-storey side and single storey rear extension.
7. It seems that the proposed additions would add around a further 34sqm of floorspace to the previously extended dwelling. It is undisputed between parties that the existing extension, plus the proposed addition, would increase the floor area of the original dwelling by 105sqm, reflecting a total increase of 128%.
8. The proposal would be relatively modest on its own. Nevertheless, despite its subdued profile and aspect, the proposal would add significant additional built form. Furthermore, the proposed addition, in combination with the previous extension, would substantially expand the dwelling further increasing its size from its original modest proportions. Accordingly, in cumulative terms, the proposed extension would represent a disproportionate addition to the original dwelling.
9. As it has not been demonstrated that the proposal would meet any of the exceptions listed in Paragraph 149 of the Framework, it would amount to inappropriate development which is, by definition, harmful to the Green Belt.

Effect on openness

10. The openness of the Green Belt has both spatial and visual dimensions. It is an open textured concept that requires a range of factors to be taken into account when considering the effect of a proposal on openness.
11. Visual perception is a factor which may reduce the spatial harm from the effect of development on the openness of the Green Belt. The proposed addition would be to the rear of the dwelling, where only limited glimpsed views could be obtained from the highway along the side of No 248. Furthermore, Hogs End Farm, 256 and 244 Hawkes Mill Lane, provide some containment to the site and would further reduce the visual effect of the proposed additions. This context limits and visually contains the site from wider views of the countryside. Consequently, the proposal would be visually integrated within the existing pattern of development. As a result, the visual effect of the proposal on the openness of the Green Belt would be minor.
12. However, spatially, the proposal would increase the footprint and floorspace of the dwelling, materially increasing its size. Such addition would also be

substantially larger than the small extension added to the neighbouring semi-detached property, comparing poorly to the openness maintained on this adjacent site. Paragraph 134 of the Framework outlines the five purposes of including land within the Green Belt. Whilst limited in size, the proposal would represent a form of encroachment into the countryside causing moderate spatial harm.

13. Accordingly, the proposal would also result in moderate harm to the openness of the Green Belt.

Other considerations

14. The Appellant concurs with the Council that the proposal would be acceptable with respect to design and impact on the streetscene in compliance with LP policies. It is also understood that the proposal would not result in an adverse effect on the living conditions of neighbouring occupiers. I see no reason to disagree with these assertions. Nonetheless, an absence of harm in these respects can only be considered as neutral factors in the planning balance.

Whether there would be Very Special Circumstances

15. Paragraphs 147 and 148 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
16. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the proposal would result in moderate harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.
17. On the other hand, the other considerations I have identified, including the acceptable design of the scheme, are of limited weight in favour of the proposal. As such, the harm to the Green Belt is not clearly outweighed by the other considerations identified. Therefore, the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.

Conclusion

18. The proposal would be inappropriate development, harming the Green Belt and in conflict with the development plan when taken as a whole. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Ben Plenty

INSPECTOR

