



Appeal Decision

Site visit made on 6 June 2023

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd June 2023

Appeal Ref: APP/P2935/D/23/3319564

**The Coach House, Fenwicks Close Farm, Earsdon, Northumberland
NE25 9TQ**

- 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 Wendy Gilbert against the decision of Northumberland County Council.
 - The application Ref 22/04507/FUL, dated 5 December 2022, was refused by notice dated 2 March 2023.
 - The development proposed is the demolition of existing ground floor rear extension and replacement with two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the appeal proposal would constitute inappropriate development in terms of the National Planning Policy Framework and any relevant development plan policies;
 - the implications on the openness of the Green Belt;
 - the effect of the appeal proposal on the character and appearance of the area, with particular regard to size and scale; and
 - should the appeal proposal constitute inappropriate development, 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 it.

Reasons

Whether or not the development would be inappropriate

3. The appeal site is located within designated Green Belt. A fundamental aim of the National Planning Policy Framework ("the Framework") is to keep Green Belt permanently open. Paragraph 147 of the Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy STP 8 of the Northumberland Local Plan ("the Local Plan") is consistent with that national approach and remains up to date.

4. The Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although it sets out a series of exceptions. One such exception which is relevant to this appeal proposal 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. In necessarily assessing the proportionality of the appeal proposal in relation to its host in the context of paragraph 149 of the Framework, I note that it includes the demolition of a single storey addition to the rear of the existing dwelling. This would be replaced by a 2-storey rear extension which would be taller than its predecessor and cover a slightly larger built footprint.
5. The exact extent of the original building is not specified in the evidence before me. However, the submitted planning history confirms that the extent of the original building is likely to have been increased since its initial conversion to living accommodation. During my site visit, I observed that part of the rear section of the dwelling to be demolished currently houses a toilet, bedroom and boiler. The design, layout and appearance of that section resembles traditional outbuildings which have been subsequently enclosed by further extensions. As such, that particular part of the dwelling is likely to have predated the conversion works and been in place on 1 July 1948 and therefore meet the definition of forming part of the original building.
6. My attention has been drawn to the fact that what constitutes a disproportionate addition is not defined in the Framework or the Local Plan and that caselaw indicates that an increase of up to 33% in either floor area or volume is an accepted level.
7. The appellant has submitted that the appeal proposal would result in a 29% increase in floor area and a 32% increase in volume. As such, they argue that the appeal proposal is acceptable. On the other hand, the Council has not cited any specific figures. Rather, it has stated that collectively the existing extensions and outbuildings already amount to disproportionate additions and as the appeal proposal would exceed these, it would also be disproportionate in terms of its scale and size in the context of the necessary proportionality assessment required of the Framework.
8. The submitted evidence and my site observations do not indicate that the existing ground floor extensions¹ formed part of the original building as it stood on 1 July 1948. Therefore no allowance should be made for these as part of the proportionality assessment. Even when discounting an allowance for the existing toilet, bedroom and boiler room as original parts of the building, I find that the appeal proposal would result in an extension which would constitute a much greater increase than what the appellant has indicated. Overall, I find that the appeal proposal would represent a disproportionate increase in both floor area and volume proportionate to the original building. That is evident even before taking any account of the existing detached garage and garden structures.
9. Accordingly, I find that the appeal proposal would constitute inappropriate development in terms of the National Planning Policy Framework and relevant development plan policies.

¹ Namely the existing dining area, sunroom and bay window to living room.

10. Therefore, the appeal proposal is contrary to both Policy STP 8 of the Local Plan and the Framework, unless very special circumstances can be demonstrated.

Openness

11. One of the essential characteristics of Green Belt is its openness. The appeal site is located within a small grouping of rural properties located just beyond the main built-up form of Earsdon. The appeal property is located within a modest plot which backs directly out over open fields. Alongside its neighbours it occupies a visually exposed position and is clearly visible within the context of the wider Green Belt. The openness of the Green Belt is clearly evident around the host dwelling and its neighbours, as part of that wider designated area and the appeal site contributes accordingly.
12. In terms of proportionality, the appeal proposal would add substantially to the overall bulk of the existing property. The effect upon openness that would be directly attributable to the appeal scheme would, because of its scale relative to the extent of the Green Belt, be small. Nonetheless, by virtue of it being a disproportionate extension, I find that the appeal proposal would not preserve the openness of the Green Belt either spatially or visually. Rather, it would have a greater impact on the openness of the Green Belt than its existing form because of its exposed positioning and scale, size and design relative to its host.
13. In these particular circumstances, I find that the reduction in openness would constitute moderate harm. Accordingly, the appeal proposal would conflict with both Policy STP 8 and the Framework in this regard.

Character and appearance

14. From my site visit it was evident that the original built form of this end of terrace host property is that of a modestly sized building of simple linear design with a high solid to void ratio in terms of door and window openings and exposed gable end of small-scale proportions. This is partly due to the building's limited depth as well as its differentials in overall height and materials relative to the adjoining dwelling.
15. The subsequent less conventional incremental ground floor additions have significantly increased the original building's footprint. These extensions obscure the rear elevation at ground floor level. However, because of their limited height and varied design, the appeal property's overall small scale and understated rustic character prevails.
16. Although not associated with a designated heritage asset, I observed that these original simple characteristics are reflective of the building's original purpose and help define the rustic distinctiveness of the wider building group. This is particularly evident when viewed from longer distance countryside vantage points to the north and from more closer distances upon approach from the east. This makes the retention of these understated features all the more vital for retaining the area's continued rustic character and appearance.
17. The appeal scheme would rationalise the successive ground floor rear extensions on the property's most visually exposed elevation, which is read within the wider countryside. It would result in a slightly larger increase to the built ground floor footprint and a significant increase in living accommodation at first floor level. In doing so, the proposed full width extension would

subsume the existing rear elevation in its entirety, including the roof and fenestration treatment which currently reflects the high solid to void ratio of the original building. The proposed additional first floor exposed gable end and dormer windows would overwhelm the host building's original depth and uncomplicated linear form.

18. The absence of any subordination in the particular design solution pursued by the appellant would exacerbate the substantial increase in the built footprint and volume over and above that of the original building. Overall, the proposed design would not be sympathetic to the original modest scale and simple form of the host building. I observed that the insubordinate and discordant consequence of this particular design option would be unduly apparent from the north and from more closer distances upon approach from the east. This would amount to significant visual harm.
19. For these reasons, the particular appeal proposal would be harmful to the character and appearance of the area, with particular regard to size and scale.
20. Policy HOU 9 of the Local Plan states, amongst other things, that extensions will only be supported where the enhancement is well-related and subordinate in size and massing to the existing dwelling, and respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling in terms of its design and use of materials, or on the character of the surrounding area.
21. Amongst other things, Policy QOP1 of the Local Plan states that proposals should make a positive contribution to local character and distinctiveness and integrate the built form with the site and wider local area, having particular regard to building heights, the form, scale and massing.
22. Given the identified harm, the appeal proposal conflicts with both of these policies.

Whether very special circumstances are demonstrated

23. The appeal proposal would constitute inappropriate development within the terms set out in the Framework. It would be harmful to the Green Belt by virtue of its inappropriateness. Furthermore, it would cause moderate harm to the openness of the Green Belt. In accordance with paragraph 148 of the Framework, I attribute substantial weight to these harms. Furthermore, I have found significant harm to the area's character and appearance.
24. The appeal proposal's accordance with other parts of Policy HOU 9 in terms of living conditions, outdoor space and parking are of neutral consequence in the planning balance. Limited weight is attached to the benefit of rationalising the rear elevation of the property. No other matters are before me which weigh in favour of the appeal proposal.
25. Paragraph 148 of the Framework states that 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. Having taken into account all other considerations presented to me, the totality of the harm identified is not clearly outweighed by these matters. Therefore, I do not find that the very special circumstances required to justify this development within the Green Belt have been demonstrated.

Conclusion

26. The starting point for decision making is to take decisions in accordance with the development plan unless material considerations indicate otherwise. I have found that the appeal proposal would cause harm which would not accord with Policies STP 8, HOU 9 and QOP 1 of the Local Plan. These policy conflicts are of such a nature and degree that they represent conflict with the development plan when read as a whole. This conflict is not outweighed by any other considerations.
27. For the reasons given, I conclude that the appeal should be dismissed.

C Dillon

INSPECTOR