



Appeal Decision

Site visit made on 18 July 2023

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 August 2023

Appeal Ref: APP/F0114/D/23/3315000

Chelwood Farm House, Chelwood, Bath and North East Somerset, Bristol BS39 4NN

- 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 Richard Savage against the decision of Bath and North East Somerset Council.
 - The application Ref 22/02007/FUL, dated 24 May 2022, was refused by notice dated 28 October 2022.
 - The development proposed is described as "Replace existing conservatory with single storey extension".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the proposal is inappropriate development in the Green Belt,
 - The effect of the proposal on the openness of the Green Belt, 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 or not the proposal is inappropriate development in the Green Belt

3. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework), at paragraph 145, indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The extension of a building provided that it does not result in disproportionate additions over and above the size of the original building, is listed as one of the exceptions.
4. Policy GB3 of the Placemaking Plan for Bath and North East Somerset (the Placemaking Plan) mirrors the above, stating that proposals to extend or alter a building in the Green Belt will only be permissioned provided they do not represent a disproportionate addition over and above the size of the original building. Policy CP8 of the Bath and North East Somerset Core Strategy (the

Core Strategy) also provides that the Green Belt will be protected from inappropriate development.

5. Further guidance is set out in the Existing Dwellings in the Green Belt – Supplementary Planning Document (the SPD). Amongst other guidance, this sets out that in many circumstances a well-designed extension resulting in a volume increase of about a third of the original dwelling would be more likely to be acceptable. Moreover, it is advised that the cumulative increase in volume of all extensions as a percentage of the original dwelling will be relevant.
6. The dwelling has been the subject of previous extensions, including an enlarged rear extension, a first-floor extension and a conservatory. The Council's Delegated report sets out that the original dwelling had a volume of 399 cubic metres (m³) and that the proposed extension, when considered together with the previous extensions that have taken place, would result in additions of 212.8m³; a cumulative increase of 53%. This figure is not disputed by the appellant. In my view, the increase cannot reasonably be considered to result in anything but a disproportionate addition over and above the size of the original building.
7. I note that the SPD refers to other matters to be considered, including any harm to the character of the area. While no other harm is identified, this does not dissuade me that the scheme would be a disproportionate addition.
8. Consequently, having considered the appeal site, the dwelling and the nature of the proposed extension, as advocated by the SPD, I find that the scheme would result in a disproportionate addition to the dwelling and hence inappropriate development. Thus, the scheme conflicts with policies CP8 of the Core Strategy and policy GB3 of the Placemaking Plan. The proposal would also not comply with the exception as outlined by paragraph 145 of the Framework. Therefore, the scheme would conflict with the provisions of the Framework.
9. The scheme would comprise inappropriate development in the Green Belt, which paragraph 143 states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The effect of the proposal on the openness of the Green Belt

10. The Framework, at paragraph 133, indicates that openness and permanence are the essential characteristics of the Green Belt. The scheme would result in the addition of a rear extension to an existing property. Whilst the rear extension is not, when considered in isolation, a vast extension, nor would it generally be visible from public vantage points, it would nevertheless result in an increased quantum of built development at the site, over and above that which currently exists. Consequently, the scheme would not preserve, and there would be a small loss of, the openness of the Green Belt.

Other considerations

11. I note that the scheme would allow for improvement to the internal configuration of the dwelling with benefits for the occupiers in terms of an improvement to the living space within the dwelling.

Other Matters

12. The Council's reason for refusal refers to policy GB1 of the Placemaking Plan. However, this policy refers to the visual amenity of the Green Belt and the Council raise no objection to the proposal on the grounds of its effect on character and appearance. As such, I find no conflict with this policy.
13. It is contended that the proposed extension would cover a similar, only slightly larger, footprint/area than the existing conservatory. However, the existing conservatory measures 4 x 4.2 metres, while the proposed extension would measure 6.3 x 8 metres, significantly increasing the footprint of development.

Green Belt Balance and Conclusion

14. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. It would also lead to a small loss of openness. 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. The proposal would be contrary to the development plan as a whole, as well as the guidance of the Framework.
15. Therefore, for the reasons given and having regard to all matters raised, the appeal is dismissed.

Martin Allen

INSPECTOR