



Appeal Decision

Site visit made on 22 August 2023

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/P1805/W/23/3318694

14 Dodford Road, Bournheath B61 9JR

- 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 R Pritchard against the decision of Bromsgrove District Council.
 - The application Ref 21/01569/FUL, dated 15 October 2021, was refused by notice dated 22 December 2022.
 - The development proposed is described as "proposed extensions to single storey dwelling."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt;
 - The effect of the development on the openness of the Green Belt;
 - Whether the 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

Whether Inappropriate Development

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further 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. One such exception being 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.
4. Policy BDP4.4 of the Bromsgrove District Plan 2011-2030, January 2017 (BDP) indicates that development of new buildings in the Green Belt is inappropriate, except in specified circumstances. This is broadly similar to paragraph 149 of the National Planning Policy Framework (the Framework).

5. The Framework does not provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement. Policy BDP4.4c) of the BDP is more explicit in specifying the size increases that would not be inappropriate. It permits extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m² ('original' dwelling plus extension(s)) provided that this scale of development has no adverse impact on the openness of the Green Belt. The explanatory text at paragraph 8.24 clarifies that this is how the Council interpret the term 'disproportionate additions' in the Framework.
6. The appeal site comprises a detached dwelling with a two-storey garage to its front. Due to the sloping nature of the site the dwelling is elevated above the adjoining highway and the associated garage. The proposal would comprise the demolition of a conservatory and construction of a single storey extension that would link the host dwelling to the first floor of the existing garage. The Council has provided figures, which have not been disputed by the appellant, that detail that together with existing extensions, the floor area increase would be approximately 79.59%. Taken together, these increases would amount to a substantial addition to the property, and one which I find to be disproportionate over and above the size of the original building.
7. There is no defined way of assessing and measuring proportionality, but the Framework refers to 'size'. This can, in my view, refer to volume, height, external dimensions, footprint, floorspace or visual perception. The appellant contends the increases would be proportional. However, in this case, the increase in floorspace, depth, width and loss of gap between the dwelling and garage would result in a considerably greater visual bulk. Therefore, I find that the scale of the extensions would subsume the original dwelling and would therefore be visually disproportionate.
8. The appellant has highlighted a nearby planning permission for a single dwelling. I have not been provided with any details pertaining to this and therefore cannot assess whether the circumstances are comparable. In any event, I have determined the appeal on its own merits.
9. Consequently, I find that the proposal would cumulatively result in an increase in size disproportionate to the original building. Therefore, it would amount to inappropriate development in the Green Belt. This would be contrary to the approach of the Framework which, alongside the aims of BDP Policy BPD 4.4, seek to protect the Green Belt from harm.

Openness

10. Openness is identified in the Framework as one of the Green Belt's essential characteristics. The increased volume as a result of the significant extensions would have a reducing effect on the openness of the Green Belt in a spatial sense. Furthermore, the increased depth of the side extension and loss of gap between the dwelling and garage means the proposal would also have a greater visual impact and thus reduction in the openness of the Green Belt when seen from Dodford Road. This would add to the harm arising from the proposed development by virtue of its inappropriateness.

Conclusion

11. The proposal would be inappropriate development in the terms set out by the Framework and would result in a harmful loss of openness. The Framework requires that substantial weight should be given to any harm to the Green Belt. It would also be harmful to protected species.
12. Given the substantial weight to be given to Green Belt harm combined with the other identified harm and lack of other matters weighing in the scheme's favour, such harm would not be clearly outweighed by the other considerations. Therefore, the very special circumstances necessary to justify the proposal do not exist, such that the appeal should be dismissed.

Tamsin Law

INSPECTOR