



Appeal Decision

Site visit made on 10 October 2023 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2024

Appeal Ref: APP/P0240/D/23/3322484

18 Common Lane, Sundon, Central Bedfordshire LU3 3PF

- 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 & Mrs Elderton against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/00084/FULL, dated 3 January 2023, was refused by notice dated 13 March 2023.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The decision notice cites a conflict with Policy SQ4 of the Central Bedfordshire Local Plan 2015 – 2035 (2021) (LP). However, both the officer report and the appellant's statement refer to Policy SP4 which the Council has submitted a copy of. I am therefore satisfied that the reference to Policy SQ4 on the decision notice is a typographical error. I have proceeded accordingly.

Main Issues

4. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt; and c) if it 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 the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate Development

5. The National Planning Policy Framework 2023 (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances as listed in paragraphs 154 and 155. LP Policy SP4 is consistent with the Framework as it includes a general presumption against inappropriate
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development. It further states that development proposals within the Green Belt will be assessed in accordance with national policy and guidance.

6. Paragraph 154(c) allows for 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. Neither the Framework nor SP4 define 'disproportionate', although the Central Bedfordshire Design Guide 2014 (DG) sets out a guiding principle that the original building should not be added to by more than 60%.
7. The appeal property is a two-storey semi-detached dwelling which has been previously extended, including to the side and rear. When taken together, the Council states that the previous and proposed extensions would increase the footprint of the original property by 84% and the floorspace by 71%. In both cases this is patently more than 60%. It has not been demonstrated that the removal of a previous outbuilding has not been taken into account when calculating these figures. I therefore have no reason to doubt their accuracy.
8. Size can be more than a function of footprint and floorspace and can include volume. In this case, the scale, bulk and mass of the building has already been considerably increased through the previous additions. Even though the appeal scheme would, in isolation, be modest in size, it would further increase the massing and scale of the dwelling. Consequently, and taking all of the above into account, the proposed rear extension together with the previous extensions would amount to disproportionate additions over and above the size of the original. The proposal would therefore be inappropriate development which is, by definition, harmful to the Green Belt. This would result in conflict with both the Framework and, by association, SP4. The aims of which I have set out above.

Openness

9. Openness is an essential characteristic of the Green Belt. Planning Practice Guidance explains that openness can have spatial and visual aspects. The land take and mass of the proposed extension, despite its contextually modest size, would take up otherwise undeveloped space in the Green Belt. As such, there would be an unavoidable reducing effect on the spatial aspect of its openness. There would be a more limited effect on the visual aspect given the built-up residential nature of the surrounding area.
10. Overall, and taking into account one of the fundamental aims of Green Belt policy being to keep land permanently open, the appeal scheme would reduce the openness of the Green Belt. This would also conflict with both the Framework and SP4. This harm would be in addition to that caused by the proposed development's inappropriateness.

Other Considerations

11. The irregular shape of the plot results in the majority of the rear garden being angled away from the house, and a neighbouring outbuilding prevents views of much of the garden from the house. The proposed extension would improve surveillance of the rear garden, and furthermore would replace an area of garden that is mostly shaded. I afford these matters moderate weight.
12. The Council raised no objections with regards to character and appearance and the living conditions. I have no reason to conclude otherwise. This would however be a lack of harm and thus a neutral consideration.

13. It is not clear if express planning permission was required for outbuildings in adjacent gardens or whether they were erected under permitted development. The latter of which does not require a Green Belt assessment. If express planning permission was granted for them, no details thereof have been provided. I therefore attach limited weight to this matter.
14. Housing developments associated with the outskirts of Houghton Regis and the proposed link road between the M1 and A6 all fall within the Green Belt. No details of any planning permissions for these developments have been provided so I am unable to compare the reasons for allowing these schemes with the reasons for refusing the appeal proposal. However, strategic schemes or those for new housing would not be assessed against paragraph 154(c) of the Framework, which relates to house extensions. I therefore afford this matter limited weight.

Conclusion and Recommendation

15. The proposed rear extension would cause harm to the Green Belt by way of inappropriateness and through reducing openness, to which substantial weight should be afforded. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly (my emphasis) outweighed by other considerations. The other considerations I have identified would not clearly outweigh the totality of the harm and subsequent development plan conflict. Consequently, the very special circumstances necessary to justify the rear extension do not exist. There are no material considerations, including the approach of the Framework, which indicate that a decision should be made other than in accordance with the development plan. The appeal should therefore be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR