



Appeal Decision

Site visit made on 6 February 2024

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2024

Appeal Ref: APP/P0240/D/23/3325390

Hérons Farm, Mancroft Road, Aley Green, Central Bedfordshire LU1 4DR

- 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 G Sayers against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/00844/FULL, dated 09 March 2023, was refused by notice dated 24 May 2023.
 - The development proposed is erection of two-storey side extensions to existing farmhouse.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of two-storey side extensions to existing farmhouse at Herons Farm, Mancroft Road, Aley Green, Central Bedfordshire LU1 4DR in accordance with the terms of the application, Ref CB/23/00844/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - CBC-001 (Site Location Plan)
 - 21.059.1 (Proposed Elevations)
 - 21.059.2 (Proposed Floorplans)
 - 21.059.3 (Proposed Block Plan)
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Applications for costs

2. An application for costs was made by Mr G Sayers against Central Bedfordshire Council. This is the subject of a separate Decision.

Preliminary Matters

3. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. While there have been some changes to the numbering of paragraphs that are relevant to this appeal, this has not otherwise raised any new matters which are determinative to its outcome.
4. The appellant has referred to policies of the South Bedfordshire Local Plan. Copies of these policies have not been provided. However, the evidence

indicates that the South Bedfordshire Local Plan and its relevant policies were superseded by the Central Bedfordshire Local Plan 2015-2035 July 2021 (the Local Plan), prior to the Council's decision.

Main Issue

5. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.

Reasons

6. The site is located within the Green Belt. Policy SP4 of the Local Plan states that development proposals within the Green Belt will be assessed in accordance with government guidance contained in the Framework.
7. The Framework identifies 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.
8. Paragraph 154 of the Framework indicates that, other than in connection with a closed list of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. These exceptions include (c) 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.
9. The Framework does not provide a definition of "disproportionate additions". However, the Central Bedfordshire Design Guide (the Design Guide) indicates that, as a guiding principle, in order to be considered as proportionate the original building should not be added to by more than 60%.
10. The Council calculate that the floorspace of the original dwelling was approximately 100m², whereas the floorspace resulting from the proposal would be 273m². This would represent an approximate 173% increase in floorspace over and above that of the original building.
11. However, the evidence indicates that a large proportion of this increase in floorspace has been achieved through the conversion of the first-floor loft space into habitable rooms. The Council considered this to have increased the original floorspace of the dwelling by 68m².
12. The Council contends that, even if the floorspace provided by the loft conversion were deducted from the calculation, the proposal would still result in an approximate 105% increase in floorspace. The appellant on the other hand maintains that the proposal only represents a 45% increase in floorspace.
13. Nevertheless, this is only one measure by which the proportionality of cumulative extensions may be considered. The Framework refers to 'size'. Consequently, the overall size increase in terms of volume and external dimensions should also be assessed. This is reflected in the Design Guide, which also advises the massing and design of an extension will be considered.
14. The appellant highlights that the loft conversion has been achieved without the need for planning permission or increasing the envelope of the original dwelling in any way. Given that the conversion alone has not altered the external

dimensions, volume, massing or design of the original building, it does not contribute to the extensions by these measures.

15. The proposed dormer windows at first floor would however constitute an addition to the existing and proposed roof slopes. This would increase the external dimensions, volume and massing of the dwelling, albeit only by a small amount, given their modest size. Their sympathetic design would also not significantly change the overall appearance of the dwelling.
16. The proposed side extensions would appreciably increase the width of the original dwelling. Based on the plans before me however this would appear to represent a less than 60% increase. Moreover, the depth, eaves and ridge height of the dwelling would not increase. The design and massing of the proposed extensions would also be consistent with the original dwelling and, given they are located at either end, they would maintain a degree of balance to the front and rear elevations.
17. The appellant has also provided volumetric calculations, which demonstrate that the original dwelling had a volume of 576.5m³, whereas the volume resulting from the proposal would be 763.3m³. This would represent an approximate 32% increase in volume over and above that of the original dwelling. Additionally, the Council estimated that the proposed extensions would represent an approximate 51% increase in footprint over and above that of the original dwelling. Neither figure appears to be in dispute by either party.
18. In view of the above, even if I were to agree with the Council's approach to calculating the uplift in floorspace, this would be the only measure by which the proposal would exceed the 60% guidance set out within the Design Guide. Moreover, a significant proportion of this uplift is contained within the original building envelope and roof space of the proposed extensions, thereby limiting any means by which it could be perceived as disproportionately sized.
19. Taken as a whole, and with due regard to the considerations set out within the Design Guide and all other relevant factors, the proposal would not result in disproportionate additions over and above the size of the original building. The proposal would therefore not be inappropriate development in the Green Belt when assessed against the exception set out in Paragraph 154(c) of the Framework. It would thus also comply with Policy SP4 of the Local Plan.
20. The impact on openness is implicitly accounted for in the exceptions to inappropriate development unless there is a specific requirement to consider the actual effect on openness. Paragraph 154(c) of the Framework does not require any additional consideration of openness. There is thus no requirement to assess the impact of the development on the openness of the Green Belt.
21. Likewise, as I have found there to be no harm by reason of inappropriateness, or any other harm, there is no requirement to consider whether any harm would be clearly outweighed by other considerations, so as to amount to very special circumstances to justify the proposal.

Conditions

22. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. A condition is also required to control the finishing materials of the development, in the interests of the character and appearance of the area.

Conclusion

23. The proposed development would adhere to the development plan as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Ryan Cowley

INSPECTOR