



Appeal Decision

Site visit made on 5 March 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 11th March 2024

Appeal Ref: APP/P0240/D/23/3323264

111 Chaul End Road, Caddington, Central Bedfordshire, LU1 4AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ali Bilgrami against the decision of Central Bedfordshire Council.
 - The application Ref is CB/23/00683/FULL.
 - The development proposed is described as 'Single & Two Storey Rear Extensions, Two Storey Side Extension, Garage Conversion & Replacing Entire Roof'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 19 December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issues of this case are largely unchanged. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the parties, and that no party would be disadvantaged by such a course of action.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to local and national policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the host dwelling and the area;
 - the effect of the proposal on the living conditions of the residents of No 113 Chaul End Road, with particular regard to light and outlook; and
 - 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 the proposal.

Reasons

4. The site falls within land defined as Green Belt. The immediate area is rural, characterised by large detached and semi-detached dwellings both one and two storeys in height. The dwellings are set back from the road and arranged in a

linear pattern of development. The appeal property is a large dormer bungalow which fills the width of the plot and backs onto open fields.

5. The appeal proposal would remove the existing conservatory and replace it with a two-storey rear extension. There would be a side extension and the existing gable roof would be replaced with a crown roof.

Whether inappropriate development

6. The National Planning Policy Framework (the Framework) states 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 154. These include 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. Policy SP4 of the Central Bedfordshire Local Plan 2015 – 2035 (July 2021) (CBLP) accords with the Framework in this regard.
7. In addition, the Central Bedfordshire Design Guide (September 2014) (CBDG) suggests that in order to be considered as proportionate, extensions should not add to the original building by more than 60%, with the impact in terms of floor area, volume, massing and design to be considered.
8. The parties disagree about the proposed percentage increase when compared to the existing building. The council estimates that the footprint of the dwelling would increase by approximately 97%, with an increase in floor area of 201%. In contrast, the appellant suggests that the increase in footprint would be below the 60% threshold. I have limited information before me to assess which figures accurately reflect the increase when compared to the original building.
9. Notwithstanding the above, when considering massing and design, the proposed extensions, would dominate the dwelling and substantially alter its' character, appearing as a two-storey house. Consequently, it would constitute disproportionate additions for the purposes of paragraph 154 c) of the Framework.
10. Considering the above, I conclude that the proposal would be inappropriate development in the Green Belt. It would conflict with Policy SP4 of the CBLP and the associated policies of the Framework which collectively seek to control development within the Green Belt. There would also be conflict with the CBDG as set out above.

Openness

11. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The appeal property is clearly visible from the adjacent highway. Notwithstanding the variety of dwellings or the existence of other two storey properties within the vicinity of the appeal site, the openness of the Green Belt is clearly evident around the property and the wider area.
12. The appeal proposal would increase the volume and massing of the existing building and in doing so would result in a harmful loss of openness, albeit this would be limited given that the proposal is within an existing enclave of development. This factor weighs somewhat against the proposal.

Character and appearance

13. There are two-storey dwellings in the area, however, the northeast side of this portion of Chaul End Road predominantly comprises bungalows. Whilst the proposal would create a visually balanced dwelling in itself and avoid terracing, as described above it would significantly alter its character, appearing as a two-storey dwelling. Although the ridge height would be maintained, when viewed amongst the surrounding bungalows, it would appear substantial in scale and incongruous within the street scene.
14. Consequently, although I am satisfied that the proposal would not harm the character and appearance of the host dwelling, I conclude that the proposal would harm the character and appearance of the area. The proposal would conflict with Policy HQ1 of the CBLP where it seeks to ensure size, scale, massing, and appearance relates well to the existing local surroundings and reinforce local distinctiveness. There is also conflict with the CBDG where it promotes consideration of surrounding context.
15. Similarly, there is conflict with the Framework, where it requires that development adds to the overall quality of the area, is sympathetic to local character, including the surrounding built environment and maintains a strong sense of place.

Living Conditions

16. The properties on this portion of Chaul End Road, including No 113, benefit from an open, verdant outlook to the rear with unimpeded views of open countryside.
17. I note the proposal has reduced in scale since the previous iteration of the scheme¹. However, it would substantially increase the height of the northern corner of the dwelling with the rear building line extending significantly beyond that of No 113. As such, due to its proximity and position towards the south of No 113 there would be a harmful loss of light.
18. The proposal would not disrupt the private views of the occupiers of No 113 towards their rear boundary, nevertheless, due to its position adjacent the boundary and its overall scale, the proposal would have an enclosing effect on the rear facing habitable rooms, ultimately harming the open, verdant outlook currently afforded to the occupiers of No 113.
19. Overall, I conclude that the proposal would harm the living conditions of the occupiers of No 113 with particular regard to light and outlook. It would conflict with Policy HQ1 of the CBLP where it requires that development does not have an unacceptable adverse impact upon nearby uses, including impacts on amenity. The proposal would also conflict with the CBDG in the same regard.
20. In addition, the proposal would fail to accord with the Framework, where it expects development to create places with a high standard of amenity for existing and future users.

Other considerations

21. I note that the types of properties surrounding the appeal site are varied, that the first-floor extension has been set in from the side boundary and that there

¹ Application Reference: CB/22/04569/FULL

is other development taking place within the area. However, these are neutral factors in my determination, neither weighing for or against the proposal. I note the reasons why the appellant wants a larger house, but these personal circumstances carry little weight.

Conclusion

22. The extension would result in disproportionate additions over and above the size of the original building. As such, it would be inappropriate development in the Green Belt and would result in a harmful loss of openness. Further, it would also be harmful to the character and appearance of the area and the living conditions of the residents of No 113 Chaul End Road. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
23. Given the substantial weight to be given to Green Belt harm, the harm to the Green Belt and other harm would not be clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

K Allen

INSPECTOR