
Appeal Decision

Site visit made on 22 March 2024

by S. Hartley BA (Hons) Dist.TP (Manc), DMS, MRTPI, MRICS

an Inspector appointed by the Secretary of State

Decision date: 08 April 2024

Appeal Ref: APP/P1805/D/23/3331182

Sandhills Farm, Sandhills Green, Barnt Green, Worcestershire B48 7BT

- 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 David Keay against the decision of Bromsgrove District Council.
 - The application Ref 23/00600/FUL, dated 26 May 2023, was refused by notice dated 21 July 2023.
 - The development proposed is a front, single storey extension with a pitched roof over.
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Decision

1. The appeal is allowed, and planning permission is granted for a front, single storey extension with a pitched roof over at Sandhills Farm, Sandhills Green, Barnt Green, Worcestershire, B48 7BT in accordance with the terms of the application ref 23/00600/FUL, dated 26 May 2023, subject to the following conditions: -
 - i. The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii. 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.
 - iii. The development hereby permitted shall be carried out in accordance with the following plans: (a) ref :PFFP&S/1/23 (proposed plans, elevations, and cross section and (b) location plan (submitted with the application).

Procedural Matter

2. The National Planning Policy Framework 2023 (the Framework) was published on 19 December 2023. The amendments made did not have a material bearing upon the main issue in this appeal, and it was therefore not necessary to seek comments from the main parties upon it. Where I have referred to the Framework, it is that of the December 2023 version.

Main Issues

3. The main issues are (i) whether the proposed extension is inappropriate development within the Green Belt and (ii) if the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to very special circumstances to justify development.

Reasons

Whether inappropriate development

4. Paragraph 152 of Framework states that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 154 makes it clear that, other than in specified circumstances, the construction of new buildings is inappropriate development, though subject to specified exceptions, including at paragraph 154 (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. Annex 2 of the Framework defines 'original building' as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
5. The Framework does not include a definition of what constitutes a disproportionate addition.
6. Policy DP4.4 of the Bromsgrove District Plan (2017) (BDP) states that the development of new buildings in the Green Belt is considered to be inappropriate, with certain exceptions, including *'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'*.
7. The LPA considers both of the above limitations in terms of floor area as opposed to volume, and the appellant has followed suit.
8. The proposed development is for a single storey, front extension with a double pitched roof and with a floor area of approximately 32m². The proposed extension would create a larger ground floor bedroom and a larger entrance to the property.
9. The original dwelling was approved in 1964¹ and which the LPA considers has an external floor area of approximately 177m², but this does not take into account space shown in the roof and where the approved plans for the original building include a stairway to a first-floor landing, giving access to two separate rooms to either side, and both with windows giving light to them.
10. While the plans do not state to what use the rooms are to be put, it is common for bungalows to include rooms in their roof spaces while still being referred to as bungalows. Indeed, that is what is shown on the original approval and for what is described as a bungalow. Therefore, it is necessary to include the floor area in the above calculations. Moreover, the appellant has produced a detailed analysis of all the floor areas involved in the original building and for existing and proposed additions, whereas the LPA has not included the same level of detailed analysis. In any event, the most significant disagreement over floor areas relates to the roof space.

¹ Planning approval ref BR/424/1964

11. I have no reason to doubt that floorspace was created within the roof space when the original dwellinghouse was constructed. The LPA has not submitted any objective evidence to the contrary. I therefore find that the calculations of the appellant more accurately reflect the existing and proposed changes to the original building's floor area, giving an overall increase of approximately 24% to the original building and well within the limit set by LP policy DP4.4.
12. The LPA, in its officer report, includes reference to an extant approval for a replacement garage, granted on 16 March 2023 but not implemented as yet². While the LPA considers that the replacement garage would have a floor area of approximately 80m², the replacement garage is detached from the host property, and given its separate position from it, I consider it to be an outbuilding and not an addition or extension to the dwellinghouse itself. Therefore, it is not necessary to consider the size of the garage for the purposes of considering whether the proposal amounts to a disproportionate addition and the main parties have not done so in their own calculations.
13. LP policy BDP4.4 alternatively permits floor areas additional to the original dwelling of up to 140m². In the case of the current appeal, the LPA considers that such additions, including both those already carried out and the current proposal, would give a combined addition of 95m², and thus within the limit of 140m² of LP policy BPD4.4.
14. Therefore, I conclude that the proposed development would not constitute a disproportionate addition over and above the size of the original dwellinghouse and would not therefore be inappropriate development in the Green Belt. As such, there would be no conflict with the Green Belt requirements of chapter 13 of the Framework or policy DP4.4 of the BDP. Given this conclusion, it has not been necessary for me to consider whether there are other considerations which would amount to very special circumstances necessary to justify the proposed development.

Conditions

15. It is necessary that I impose the standard time condition. For the avoidance of doubt and in the interests of certainty, an approved drawings condition is necessary. In the interests of good design, it is necessary to impose a condition relating to external materials.

Conclusion

16. For the reasons outlined above, I conclude that there are no matters that indicate the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

S. Hartley

INSPECTOR

² 22/01617/FUL