



Appeal Decision

Site visit made on 6 March 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/P0240/D/23/3333550

87 Leighton Road, Stanbridge, Central Bedfordshire LU7 9HW

- 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 Eugene Macovei against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/02399/FULL, dated 18 July 2023, was refused by notice dated 20 September 2023.
 - The development proposed is a single storey rear infill extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development represents inappropriate development in the Green Belt,
 - its effect on openness, and
 - whether other considerations clearly outweigh the harm to the Green Belt, and any other harm, so as to amount to very special circumstances.

Whether the proposed development represents inappropriate development in the Green Belt

3. The appeal building is a small semi-detached rural cottage with a garden and is located in a corner position next to the junction of Leighton Road and the unmade track of Tilton Road.
4. Paragraph 154 of the National Planning Policy Framework (the Framework) advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt, subject to identified exceptions. The listed exceptions 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. The original building refers to that which existed on 1 July 1948, or if constructed after 1 July 1948, as it was built originally. The Framework does not indicate what increase in floorspace, or volume would be disproportionate. The Central Bedfordshire Design Guide seeks to ensure that to be considered as proportionate the original building should not be added to by more than 60% of footprint, floorspace and volume.

5. The Council has calculated that the proposed footprint of the extension taken together with previous extensions would represent a cumulative 143% increase compared to that of the original dwelling. The cumulative floorspace increase is estimated at 153% compared to that of the original dwelling. Although the appellant is critical of the Council's information no details of previous extensions have been submitted by the appellant to clearly demonstrate that the Council's records or calculations are incorrect.
6. The cumulative increase in floorspace, taking account of the proposed development and previous extensions, compared to the original building is well over the Council's guideline of 60%, in conflict with Section 7 of the Design Guide. I find that the proposal would involve a significant cumulative increase in floorspace, with the consequent increase in mass and therefore building size, and would constitute a disproportionate addition to the building. Therefore, it would represent inappropriate development in the Green Belt
7. Paragraph 152 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would conflict with Central Bedfordshire Local Plan policy SP4 which includes a general presumption against inappropriate development.

Effect on openness of the Green Belt

8. In accordance with the National Planning Practice Guidance, the openness of the Green Belt is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume. The visual impact of the extension would be limited because of its location at the rear of the dwelling. However, there would be significant harm spatially, because of the overall increased size and scale of the dwelling.

Other Matters

Effect on the character and appearance of the streetscene and surrounding area!

9. There is a large, detached dwelling with timber cladding next to the appeal building, with an access from Tilton Road. The general area mainly includes detached properties of varying size and scale. There are large agricultural buildings and garages and an industrial area around 100 metres away. The Council considers that the proposal would not have a detrimental impact on the character and appearance of the area. I see no reason to disagree given that the extension would be sited to the rear of the existing dwelling and there would only be a partial view of the development from Tilton Road. This is not a positive benefit and therefore a neutral weight in the overall balance.

Other considerations

10. The appellant advises that the adjoined dwelling of 85 Leighton Road has undergone multiple extensions over time. However, no information has been submitted as to how any extensions came about. I therefore attach minimal weight to this matter. The proposal would allow the ground floor area and carport to be re-configured and improve living conditions for the occupants. However, it is possible that improvements could be made without extending the building as proposed. I therefore accord this factor limited weight. I am advised that 83 Leighton Road has permission for demolition and replacement by two new properties in GB. Nevertheless, that permission is a separate

matter and not a reason which would justify the appeal proposal. I do not therefore attach any weight to it.

Green Belt balance

11. Paragraph 153 of the Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I have concluded that there would be harm to the Green Belt as the development is inappropriate and that there would be harm to the openness of the Green Belt. I afford these substantial weight in my balance. I have considered other considerations above and these have only attracted minimal or limited weight.
12. I find that other considerations do not clearly outweigh the harm that I have identified. Looking at the case as a whole, I consider that very special circumstances do not exist to justify the development. The proposal would therefore conflict with the development plan and the Framework.

Conclusion

13. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR