

Appeal Decision

Site visit made on 11 April 2024

by Peter D Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21.05.2024

Appeal Ref: APP/C2741/D/24/3337153

The Granary, Old Carlton Farm, Sandy Lane to Boundary, Stockton on the Forest, York YO19 5XS.

- 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 and Mrs Hodgson against the decision of City of York Council
 - The application Ref 23/01149/FUL, dated 8 June 2023, was refused by notice dated 1 November 2023.
 - The development proposed is single storey side extension, first floor side extension and erection of detached garage following demolition of conservatory.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In the period since the appeal was submitted the Government has published the revised *National Planning Policy Framework* (the Framework) December 2023 which, for the purposes of determining this appeal, takes immediate effect. As the appellant has referred to the Framework I have taken into consideration where necessary the current Framework policies that mirror the paragraphs of the old Framework referred to.
3. The description of the proposal set out in the application form is not a description of development as it refers simply to the retention of the extensions and garage. I have therefore taken the description as it appears on the decision notice which is more accurate.

Main Issues

4. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt for the purposes of the Framework and development plan policy;
 - The effect of the development on the openness of the Green Belt and
 - The effect on the character and appearance of the host building and the countryside setting to the appeal site.

Reasons

5. The appeal property is a detached brick and tile two storey building sitting within the York Green Belt. According to the appeal documentation, the building was originally the granary to Old Carlton Farm and was previously converted into two holiday lets and then subsequently into one dwelling. The dwelling, in turn, has been significantly extended from its original form including the
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extensions the subject of this appeal which have already been completed and are in use. The Granary stands in a spacious plot which includes a large free-standing outbuilding apparently in residential use (not a subject of this appeal) and a detached garage already built which is an element of the appeal proposal. Both these buildings are constructed in a light coloured composite cladding, contrasting sharply with the brickwork of the main house.

Whether the proposal would be inappropriate development in the Green Belt

6. The Framework establishes that the construction of new buildings in the Green Belt would be inappropriate development other than in a number of circumstances set out in Paragraph 154. One of these is the extension or alteration of an existing building providing the extension would not result in disproportionate additions over and above the size of the original building. Whilst not expressed in exactly the same way as the current Framework, Policy GB1 of the *City of York Local Plan (CYLP)* also allows for 'limited extension' of existing buildings in the Green Belt.
7. The Framework does not set a limit on the scale of extension, leaving it to the decision maker to determine whether the extension would be a disproportionate addition over and above the size of the original building. Similarly, Policy GB1 of the CYLP does not define what is meant by 'limited extension'. However, in the *House Extensions and Alterations Supplementary Planning Document (SPD)*, the Council explains that usually Green Belt extensions should not exceed a 25% increase over the footprint of the original dwelling. The SPD acknowledges that given the increase in scale of extensions which can be undertaken under permitted development rights, that a planned extension in the Green Belt larger than 25% may be acceptable in preference to an uncontrolled extension under PD rights.
8. Notwithstanding this, as stated above, the property has already been the subject of significant extensions in the past taking it from a simple rectangular granary building with a linear form to a property that is much more domestic in appearance. Although it has been put to me that the latest extensions would add only 63 square metres to a building of 239 square metres this fails to recognise that these extensions are simply the last in a line of extensions. Cumulatively, the totality of the extensions, compared to the original granary, are disproportionate amounting to about a 150% increase over the original building.
9. On that basis I conclude that it would be inappropriate development in the Green Belt and therefore by definition harmful, contrary to the Framework and Policy GB1 of the CYLP and to the advice in the SDP.

The Effect on Openness

10. Green Belt is established to achieve a number of aims one of which is to assist in safeguarding the countryside from encroachment and one of the essential characteristics of Green Belts is their openness.
11. The proposal, given the scale, mass and height of the extensions to the Granary itself coupled with the detached garage, in this plot adjoining open countryside, would by definition result in both a spatial loss of openness and modest visual loss of openness to the detriment of the Green Belt.
12. The appellant has indicated in their appeal statement that they would be prepared to see the garage removed to reduce the impact on openness.

However, the garage is part of the application before me. It is not part of the original pre-existing development on the site nor, given its position and scale, would it be permitted development. Therefore its removal would simply take the situation back to that which pertained on the site before its unauthorised construction. The appellant's 'offer', even if I was to accept what is a material amendment to the application, would have no bearing in terms of mitigating the impact of the extensions to the granary on openness and would not remove the identified harm.

Character and Appearance

13. I acknowledge that the proposed extensions to the granary are of materials broadly in keeping with the original. However, the design of the first floor extensions in terms of scale, mass and height and relationship to the original linear form of the granary fail to be subordinate to the original building. Moreover, in respect of the single storey flat roof side extension this, as built, is not complementary to the original form of the granary.
14. I acknowledge that these extensions replace earlier extensions which were not necessarily entirely successful in reflecting the granary's original form but these most recent extensions and detached garage simply compound the harm to the point where it is almost impossible to 'read' the original form of the granary as an agricultural building. Therefore, the cumulative effect of what has been built also adversely impacts on the character and appearance of the area. I acknowledge that the site would be quite well screened from the surrounding countryside in the summer but much less so in winter when the trees are bare. I am therefore not persuaded that, even with additional landscaping, this would mitigate the adverse impact of the scale, mass and height of the building viewed from the context of surrounding open countryside.
15. For the reasons above there is a significant adverse effect on character and appearance and the proposal would fail to comply with CYLP Policy D11 which requires development to respond positively to its immediate architectural context and local character and history.

Other Considerations

16. A number of other considerations have been put to me which the appellant argues amount to very special circumstances to justify the development.
17. I have been invited to conclude that, as more development under permitted development rights could be constructed, the appellant's offer to agree to a condition removing PD rights amounts to a significant benefit. However, for this to carry any weight there must be a reasonable expectation that further permitted developments would be undertaken. Given the already significant scale and extent of the building and outbuildings I am not persuaded that the appellant would compound the visual harm to the property by constructing more ad hoc permitted developments in the grounds. There is not therefore a reasonable expectation that further permitted development would be undertaken and I attach limited weight to this argument.
18. It has also been put to me that as earlier extensions and constructions did not follow sustainable development principles and were not of particular quality, their removal and replacement with quality sustainable construction as proposed would constitute a significant benefit. However, these matters are simply aspects of good planning that should be expected in any development and are therefore neutral in the balance.

19. Finally, as referred to above I have been invited to view the offer of removing the garage as a significant benefit but, as explained above, this would simply remove an unauthorised building that should not have been developed in the first place. It would not resolve the harm from the extensions to the granary itself and would therefore be of limited weight.
20. Given the limited weight I can attach to these other considerations, even when taken together, they would not be sufficient to outweigh the harm to the Green Belt and other harm identified above.

Conclusions

21. I have concluded that the proposal would be inappropriate development in the Green Belt and, by definition, harmful. The cumulative scale of the extensions and garage in their context and the adverse impact it would have on the openness of the Green Belt adds to this harm. I have considered the other considerations set out above but, taken together, they would not outweigh the harm to the Green Belt from inappropriate development and the other harm identified in respect of character and appearance. As such the very special circumstances necessary to warrant the development do not exist and for the reasons given above, I conclude the appeal should be dismissed.

P. D. Biggers

INSPECTOR