

Appeal Decision

Site visit made on 8 July 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/C2741/D/24/3341120

Orchard Farm, Escrick Road, Wheldrake YO19 6BQ

- 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 Mrs Janet Astley against the decision of City of York Council.
 - The application Ref is 23/01502/FUL.
 - The development proposed is a two storey pitched roof front extension and single storey pitched roof rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form address states the road name as Escrick Road, however, Wheldrake Lane is stated on the decision notice and on the appeal form. Escrick Road is used throughout the appellant's evidence, and therefore I have used this for best clarity.
3. The City of York Local Plan – Publication Draft (Regulation 19 Consultation) (DLP) (February 2018) was submitted for examination in May 2018, which is still ongoing. I have therefore given less than full weight to its policies.
4. The appellant has stated that they agreed to remove the existing single-story extension if required to be able to obtain an approval, but without success. However, this demolition is not shown on the plans before me, and I have no evidence of the impact this would have on the volume calculations. As such, I have not taken this into account in my determination.

Main Issues

5. The main issues are:
 - whether the development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework ('the Framework') (2023) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; 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 necessary to justify the proposal.

Reasons

Inappropriate Development in the Green Belt

6. The site comprises a 2-storey detached dwelling, and grounds incorporating various outbuildings and small fields. It is accessed from Escrick Road by a long driveway and lies in an isolated position within the Green Belt surrounded on all sides by open fields. The proposal is to demolish the dwelling's existing single story front porch, replace it with a 2-story front extension on a slightly larger footprint, and erect a single storey rear extension.
7. The Framework paragraph 142 identifies that the fundamental aim of Green Belt policy is to keep land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Framework paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The DLP Policy GB1 broadly takes the same approach to Green Belt as in the Framework.
8. The construction of new buildings in the Green Belt is inappropriate, subject to several exceptions in the Framework paragraph 154. That relevant is 154(c), being 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 that date, as it was built originally.
9. The Framework does not define 'disproportionate additions', and no local policy guidance setting a generally acceptable size increase has been identified. This is therefore a matter of planning judgement.
10. The appellant disputes the Council's claim that the property has had significant previous extensions. However, they also identify that the dwelling was built in 1906, they took ownership in 1986, they gained planning approval for a 2-story rear extension for a ground floor utility room and a first floor bathroom and added a side conservatory and front porch. As such, and as also noted on my site visit, I am satisfied that the property as it exists is not the original building against which assessment must be made.
11. The Council's calculations based on the plans and the planning history, identifies that the proposal would result in at least a 75% volume increase above that of the original building. The appellant has provided no calculations for the proposed volume increase, and so I have no reason not to take the Council's figure as correct. Even were I to consider that this calculation could be very approximate and that the actual figure may be more conservative, it is clear to me that the proposed extensions including the appeal proposal would still be cumulatively significant.
12. In consideration of the associated height and massing of the extensions overall, the appeal proposal would be a substantial and disproportionate addition to the property over and above the size of the original building. Consequently, it would not meet the exception under the Framework paragraph 154(c) and would be inappropriate development. It would therefore conflict with section 13 of the Framework, and with the DLP Policy GB1.

Openness

13. The dwelling and collection of outbuildings are set within a very open agricultural landscape. Openness has spatial as well as visual aspects. Spatially, the erection of the extensions would result in built development where there is presently none. The appeal proposal would thus increase the volume and massing of the existing dwelling.
14. Visually, the proposal would be predominantly screened from the road and neighbouring properties due to its isolated position and various boundary vegetation. However, the proposal would still be visually apparent at close range, particularly due to the height and bulk of the 2 storey front extension. The lack of a public view may mitigate its impact but does not preclude all inherent visual harm to openness. Therefore overall, the proposal would thus result in harm to openness, both spatially and visually.

Other Considerations

15. The appellant identifies the proposal is required to create a possible downstairs bedroom and toilet, to future proof the dwelling. However, no specific medical or personal need is identified. Furthermore, the size of the existing floorspace appears such that would be possible to create a downstairs bedroom if necessary. The proposed first floor en-suites are identified to allow privacy for guests rather than sharing the existing bathroom, but this also appears desirable rather than essential. I acknowledge the appellant's long term improvements made to the property since they took ownership, and their financial efforts involved with this, but overall, the appeal proposal would only result in private benefits with no compelling need. I therefore I give these only very limited weight.
16. I acknowledge that the materials would match those existing, and that in design terms, the proposed extensions are in keeping with the architecture of the dwelling. However, this is a lack of harm rather than a benefit. The lack of objections from neighbours or the Parish Council, does not indicate a lack of harm to the Green Belt.

Green Belt Balance and Conclusion

17. The proposal would be inappropriate development in the terms set out by the Framework and also would result in a harmful loss of openness to the Green Belt. I give this harm substantial weight as required by the Framework paragraph 153. This harm renders the development in conflict with the Framework and the DLP Policy GB1. Against the totality of the harm I have identified, the other considerations advanced by the appellant are not sufficient, either individually or cumulatively, to clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
18. In conclusion, the proposed development would conflict with the development plan and the Framework as a whole. With no other material considerations indicating otherwise, for the reasons given above, I conclude that the appeal is dismissed.

L N Hughes

INSPECTOR