

Appeal Decision

Site visit made on 31 July 2024

by C Billings BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2024

Appeal Ref: APP/N1025/D/24/3337753

Brook Close House, Nottingham Road, Borrowash, Derbyshire DE72 3FR

- 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 Fred Pearse against the decision of Erewash Borough Council.
 - The application ref is ERE/1023/0013.
 - The development proposed is for two storey rear extension, loft conversion and dormers.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission has previously been granted by the Council for extensions and alterations to the appeal dwelling, ref. ERE/1222/0031 granted April 2023. While a copy of the Council officer's report in respect of this previous consent has been provided and both of the main parties refer to it in their evidence, I do not have substantive information, including the approved plans, to allow full comparison of this with the appeal proposal. Therefore, I have reached my decision having regard to the evidence before me and the individual merits of the proposed development.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the development on the openness of the Green Belt;
 - the effect of the development on the character and appearance of the host property; and,
 - whether the 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

Whether Inappropriate Development

4. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belt being their openness and their permanence. It goes on to explain that inappropriate development is, by definition, harmful to the Green Belt and should not be agreed except in very special circumstances. Paragraph 154 of the Framework sets out that the construction of new buildings is inappropriate in the Green Belt, subject to certain exceptions. One such exception is 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.
5. Policy GB4 of the Erewash Borough Local Plan (Saved Policies 2005, as amended 2014) (ELPSP) sets out that extensions and alterations to existing dwellings in the Green Belt will be permitted subject to the proposed extension or alteration relating well to the existing dwelling; that it does not result in disproportionate additions over and above the size of the dwelling as originally built; and, the proposal is not harmful to the character or appearance of the Green Belt.
6. The Framework and Policy GB4 of the ELPSP do not define what is disproportionate additions, therefore an assessment of whether a proposal would amount to disproportionate additions over and above the size of the original building is a matter of planning judgement.
7. The existing appeal dwelling is a large, detached property set within substantial grounds. From my observations, the property has been previously extended with a conservatory and single storey extension to one side. There is also an older, two-storey element to the same side of the dwelling as the single storey extensions, which the Council note was evident on historical maps prior to 1948. Thereby, for the purposes of the assessment of disproportionate additions, the two-storey extension should be considered to be part of the original property.
8. The previously approved scheme for extensions and alterations to the property, ref. ERE/1222/0031, proposed a combined volume increase of approximately 52% above that of the original dwelling. In accepting that scheme, the Council noted that, as such increase was only slightly above their 'rule of thumb' of 50% increase in volume being a disproportionate addition, such development was acceptable.
9. The evidence provided sets out that the appeal proposal would further increase the total volume of new additions to the host dwelling by a further 8% compared to the previously approved scheme. However, compared to the original dwelling, the appeal proposal would result in extensions that increase the volume of the property by approximately 60%.
10. Thereby, notwithstanding that the Council's rule of thumb percentage increase of 50% was exceeded by 2% previously and that the footprint of the extensions proposed would not change¹, I find that a 60% increase in

¹ Compared to that approved under planning permission ref ERE/1222/0031

the volume of the original dwelling would be significant and so, would amount to disproportionate additions over and above the size of the original building.

11. Furthermore, the proposed extensions would appear visually dominant at one end of the dwelling, which would unbalance the appearance of the original host property. Also, the proposal would create additional bulk to the roof space of the host dwelling and introduce several dormer roof extensions. Even though the ridgeline of the proposed two-storey extension and the dormers would be no higher than the main ridgeline of the original dwelling, the overall roof form of the traditional Victorian property would be altered, such that it would not relate well to the design and form of the original dwelling. This would be in conflict with Policy GB4 of the ELPSP, which requires proposed extensions or alterations to relate well to the existing dwelling.
12. For the above reasons, the proposal would be inappropriate development in the Green Belt, which is, by definition, harmful.

Openness of the Green Belt

13. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The appeal property is set within a spacious triangular shaped plot which lies at the edge of Borrowash. Notwithstanding boundary trees and hedges, due to the spaciousness of the plot, together with its edge of settlement location and the long field-side boundary of the appeal property being fairly open, the openness of the Green Belt is clearly evident around the property and wider area.
14. The appeal property is visible on glimpsed views through boundary trees and hedges across open fields from Gypsy Lane and Nottingham Road on approach into Borrowash. The appeal proposal would increase the volume and massing of the existing dwelling and in doing so, would increase the visibility of the property within the wider landscape and result in a harmful loss of openness, albeit this would be limited given the scale of the proposal. The proposed two storey side extension, which would significantly increase the bulk of the roof, would be particularly visible from wider views across the adjacent fields and give the appearance of filling-in the plot width. This weighs against the proposal.
15. In view of the above, I consider the proposed development would harm the openness of the Green Belt, in conflict with the Framework and Policy GB4 of the ELPSP, which requires a proposal to not harm the character or appearance of the Green Belt. There would also be conflict with Policy 3 of the Erewash Core Strategy (March 2014) (ECS), which amongst other matters requires development proposals to have regard to the statutory purposes of the Green Belt.

Character and Appearance

16. The appeal property is an attractive Victorian dwelling which retains many of its original features. While there have been previous side extensions to the property, these are of subservient scale and form compared to the original dwelling. The previous existing two storey extension is less than half of the

width of the original dwelling, located set back considerably from the front of the entrance side elevation, with a hipped roof and ridgeline set lower than that of the main dwelling. Also, the existing single storey extensions are nestled to one side of the property and set below the height of the upper brick course banding around the host dwelling.

17. The proposed two-storey extension would only be set back slightly from the main entrance side elevation of the property and have a ridgeline that continues that of the existing dwelling. Furthermore, the width of the proposed extension would be more than half the width of the original dwelling. Thereby, it would form a large bulky and dominant addition to one side of the property and, when viewed from the lawned area at the west side of the dwelling, it would unbalance the form and character of the original property. As a result, the two-storey extension would not appear subservient to the host dwelling.
18. The proposed dormer roof additions would appear squat and incongruous on the currently plain and simple unbroken design of the roof scape of the existing dwelling. Consequently, despite that the dormers would be set below the height of the main ridgeline of the property, they would harmfully affect the character and design of the original dwelling.
19. Some of the proposed design details included in the proposal seek to assimilate the new extensions with that found on the Victorian host dwelling, such as window headers and cross bar sash-style windows. Also, I acknowledge the appellant's assertion that the proposed development would much improve the aesthetics of the roof form and that the overall design is more in keeping with the Victorian era of the property. However, based on the evidence before me and having regard to the existing design and appearance of the host dwelling, I find that the proposal would not be of appropriate scale, design, and appearance.
20. Thereby, the proposal would be harmful to the character and appearance of the host property, in conflict with Saved Policy DC2 of the ELPSP, which amongst other matters, requires the scale design and external materials of a proposed extension to be in keeping with the dwelling to be extended.

Other Considerations

21. The proposal does not include a new dormer window addition to the side facing Nottingham Road, where the nearest neighbouring residential property, and the appeal dwelling does not have any immediate neighbouring residential properties sharing a boundary with it. However, these are neutral factors, that neither weigh for or against the proposal.
22. While the appellant dislikes the design of the previously approved scheme and asserts that the appeal proposal is more in keeping with the Victorian era of the property. I have found that the proposal would not be in keeping with the character and appearance of the host property. Thereby, this personal circumstance carries little weight.

Green Belt Balance and Conclusion

23. I have found that the proposal would be inappropriate development in the Green Belt and also, that it would reduce the openness of the Green Belt.

The harm to the Green Belt, by reason of inappropriateness and the loss of openness, attracts substantial weight. Additionally, I have found the proposed development would harm the character and appearance of the host dwelling, which adds to the overall harm.

24. The harm caused to the Green Belt would not be clearly outweighed by other considerations. Thereby, the very special circumstances required to justify the development have not been demonstrated, and so, the proposal does not accord with national and local policy that seek to protect the Green Belt, including Policies GB1 and GB4 of the ELPSP, Policy 3 of the ECS and, the Framework.

25. Consequently, I conclude the appeal should be dismissed.

C Billings

INSPECTOR