



Appeal Decision

Site visit made on 6 November 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal Ref: APP/P0240/D/24/3340598

24 Stanley Road, Streatley, Luton, Bedfordshire LU3 3PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mrs Felicity Upwood against the decision of Central Bedfordshire Council.
 - The application Ref is CB/23/02947/FULL.
 - The development proposed is roof extension and internal alterations to create grannex.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 proposal on the openness of the Green Belt;
 - The effect of the proposed development on the character and appearance of the existing property and surrounding area including the Area of Outstanding Natural Beauty (AONB) landscape; and
 - Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

3. The appeal site relates to a semi-detached property located along Stanley Road within the village of Streatley. The dwelling has been enlarged in the past including a rear and side extension. A front porch has also been erected although it is understood that this was without planning permission. The proposed development seeks to create an additional storey to the dwelling.
4. Policy SP4 of the Central Bedfordshire Local Plan 2015-2035, 2021 (LP) relates to development in the Green Belt and explains that within the Green Belt there is a general presumption against inappropriate development. Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG.

5. Paragraph 154 of the Framework relating to proposals affecting the Green Belt explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. There are a number of exceptions to this including 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.
6. The Framework defines the term 'original building' as being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The Central Bedfordshire Design Guide, 2023 (CBDG) also explains that an addition to a dwelling in the Green Belt will not be appropriate if it results in a disproportionate addition. It goes on to explain that as a guiding principle, to be considered as proportionate, the original building should not be added to by more than 60% of footprint, floorspace and volume. The impact of the extension in terms of massing and design will also be considered.
7. It is understood that the original footprint and floorspace of the existing building was 53.7sqm (approx). The existing extensions have increased the property by some 77sqm resulting in a 143% increase in footprint and floorspace. The proposed extension would add a further 63.54sqm (approx) which would represent an addition of 262% over the original floorspace. Such a significant increase in floorspace when considered cumulatively would clearly constitute a disproportionate addition over and above the size of the original building and would be considerably over the CBDG's guiding principle of 60%. This would still be the case even if the ground footprint remains unchanged.
8. I appreciate that the floorspace of the development would be of a lower percentage when compared to what exists. However, the test is clear in terms of the 'original building' which would exclude those previous extensions later added and thus the cumulative impact must be considered. To this end, when taking into account the previous additions, the proposed development would increase the overall bulk of the dwelling to an extent which would not be subordinate to the size and scale of the original dwelling.
9. For the above reasons, the proposed development would result in disproportionate additions over and above the size of the original building. It would therefore fail the exception test of paragraph 154 c) of the Framework. I conclude on this issue that, for the purposes of the Framework, the proposed development would be inappropriate development in the Green Belt which would by definition be harmful to the Green Belt and should not be approved except in very special circumstances (Paragraph 152, Framework). For the same reasons, the proposed development would also be contrary to Policy SP4 of the LP and the CBDG.

Effect on openness

10. Paragraph 142 of the Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness of the Green Belt has a spatial aspect as well as a visual aspect and thus both aspects need to be considered.
11. The proposed roof extension would increase the overall scale, mass, and bulk of the property. In spatial terms, this would inevitably have an impact on the openness of the Green Belt. When taking into account previous additions, the

proposed development would amount to a significant increase in the size and scale of the original dwelling and alteration of its original character, making the dwelling more prominent in the Green Belt than the original. This would result in a loss of openness in visual terms.

Character and appearance

12. The proposed roof extension would be set higher than the main roof ridge which would dominate the host dwelling and its overall scale and design would appear out of keeping within the street scene. Its overall scale and bulk would fail to retain the existing character of the host property and thus would not be a sympathetic addition, detracting from the original architectural form and overall character and appearance of the property. Its overall scale would be more prominent in the wider open landscape and thus would give rise to visual harm to the AONB landscape.
13. At my site visit, I observed the properties nearby and whilst roof extensions and varied roof forms were found in the street scene, these were set down from the main ridge line unlike the proposals and there were no apparent additions that were directly comparable to the appeal before me. Whilst the extension would be at the back of the house, it would still be clearly visible from a number of vantage points including from Stanley Road and thus this would not alter my findings.
14. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the existing property and surrounding area including the AONB landscape. It would therefore be contrary to Policies HQ1 and EE7 of the LP which together, amongst other matters, relate to high quality development and the AONB requiring development to be of the highest possible quality and respond positively to their context. For the same reasons, the proposed development would also be contrary to sections 12 and 15 of the Framework relating to achieving well-designed and beautiful places and conserving and enhancing the natural environment as well as the CBDG.

Other considerations

15. I note the appellants' claims that the small 1950's building would not comply with current accommodation standards for family properties with the earlier extensions said to have brought the property up to standards. However, this would not therefore mean that further extension works would be acceptable as development would still need to comply with Green Belt Policy as set out earlier.
16. I am aware of the appellants' intentions in terms of providing accommodation for parents and I note the claimed benefits associated with this but given the small-scale nature of the scheme, any benefits associated would be very limited and thus would carry limited weight.
17. In considering this appeal, I have had due regard to the Public Sector Equality Duty (PSED) set out under Section 149 of the Equality Act 2010, in particular the need to eliminate discrimination against persons with the protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others.

Following careful consideration of the family circumstances, I am satisfied that the impact of dismissing the appeal is proportionate and necessary.

Planning Balance and Conclusion

18. 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.
19. Paragraph 153 of the Framework explains that substantial weight should be given to any harm to the Green Belt and that '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. Whilst I acknowledge the other considerations put forward by the appellant as set out above, the Framework makes it clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt which I have applied.
20. Therefore, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
21. In failing to comply with the policies as identified above, the proposal cannot be said to comply with the development plan taken as a whole. There are insufficient material considerations to justify a decision other than in accordance with the development plan. For the reasons given above, the appeal is dismissed.

N Teasdale

INSPECTOR