



Appeal Decision

Site visit made on 22 January 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2025

Appeal Ref: APP/U2750/D/24/3356108

2 Bottom Cottages, Main Street, Colton, Tadcaster, North Yorkshire LS24 8EP

- 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 C Watson against the decision of North Yorkshire Council.
 - The application reference is ZG2024/0679/HPA.
 - The development proposed is a two storey rear extension and internal alterations.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would amount to inappropriate development within the Green Belt; whether there would be any other harm to the Green Belt; the effect on the character and appearance of the area; whether the proposal would preserve or enhance the setting of the listed public house; 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 necessary to justify the development.

Reasons

3. The proposal would include alterations and extensions to the side as well as to the rear of this house which lies within the Green Belt. In total, when considering the current proposed additions and previous alterations, the council calculate that the works would result in an increase in volume of 164% compared to the original property. This figure has not been disputed by the appellant. In any event, the scale of the two storey side and rear extensions now proposed would clearly result in a very substantial increase in the scale of the property.
4. Policy SP2A(d) of the Selby District Core Strategy 2013 (CS) requires that Green Belt development complies with both CS policy SP3 and national Green Belt policy. Policy SP3B advises that permission will not be granted for inappropriate development unless very special circumstances exist to justify why permission should be granted. The National Planning Policy Framework 2024 advises that new development in the Green Belt should be regarded as inappropriate unless it falls within one of the listed exceptions. The 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.

5. The Framework does not specify a figure as to what represents a disproportionate addition. However, the works proposed would represent a very substantial increase in scale. These works would represent disproportionate additions over and above the size of the original building. The proposal does not therefore fall within the exception relating to extensions in the Green Belt and would represent inappropriate development in the Green Belt. The increase in scale would also reduce the openness of the Green Belt.

Any other harm

6. The proposed new element of frontage would have particularly poor detailing. As a continuation of the frontage, it would detract from the appearance of the property. The narrow form of the house is also evident from the road. The substantial bulk of the rear extension, although screened to some extent by trees, would also be at odds with the existing character of the building and would detract from it. Whilst the other end cottage has also been extended to the rear, the scale and design detailing proposed would represent poor design and would be contrary to the design expectations of CS policy SP19.
7. The council has suggested that the proposal would harm the setting of the listed public house opposite. That building is set well back from the road. The proposed poor frontage design and the greater bulk of the side elevation would not represent positive new elements but I am not persuaded that they would materially change how the listed public house would be experienced. There would not therefore be conflict with the heritage requirements of CS policy SP18(2).

Other considerations

8. It is suggested that the addition to the frontage would not be unduly dominant or intrusive nor would the works unduly increase the spread of development across the site. It is also suggested that the appearance of the property would be improved and there would be no impact on the open character of the surrounding area. I have not found the design to be of an acceptable standard with regard to the frontage; and the scale of the works would reduce openness. However, the position of the property within the settlement and the relationship of the works to the existing development, do help to contain the harm.
9. It is suggested that a fall-back position exists whereby the property could be extended without the need for planning permission. It is suggested that if permitted development rights were taken into account, in comparison, no harm would be caused to the openness of the Green Belt or the purposes of the Green Belt designation. I have not been provided with a description or a plan of what the appellant considers would be lawful in relation to increasing the scale of development. There must also be a reasonable prospect that such works would take place for a fall-back position to be given weight. On the basis of the information provided, it is not clear what it being suggested or that it would be built. This prospect can therefore be afforded very limited weight.
10. The proposal would result in a larger and more adaptable family home that would provide some social benefits. It would need to meet modern building standards and would require significant investment which would have some wider environmental and economic benefits.

Conclusions

11. The Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and substantial weight should be given to that harm. Both the Framework and the CS advise that approval for inappropriate development will not be given, except in very special circumstances. These will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
12. The works would represent inappropriate development. I have had regard to the considerations put forward, including the lack of objections locally. However, these would not clearly outweigh the harm from inappropriateness. The considerations put forward do not therefore represent the very special circumstances that would be necessary to justify the development. It would therefore be contrary to the Green Belt policies of the CS and the specific policies of the Framework, relating to the Green Belt, that indicate that the development should not be approved. I also find conflict with the design policies of the CS and Framework. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR