
Appeal Decision

Site visit made on 28 January 2025

by **M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th February 2025

Appeal Ref: APP/P0240/D/24/3347561

Tipple Hill Farm, Manor Road, Caddington LU1 4DW

- 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 Shane McGuinness against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/01177/FULL.
 - The development proposed is described as 'alterations to roof of dwelling.'
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council advises that the appeal site was most recently in use as a Class C4 house in multiple occupation and that planning permission would be required to change the use to a Class C3 dwellinghouse¹. The description of development in the banner heading above is taken from the planning application form, as there is no evidence before me that the appellant agreed to that included on the Council's decision notice. The description does not indicate a material change of use and this was not considered by the Council during the determination of the application. No evidence has been presented by the appellant to indicate that I should consider the proposal as being anything other than the alteration of the existing building. I have therefore determined the appeal on this basis.
3. In December 2024 the Government published a revised National Planning Policy Framework (the Framework). Although some sections and paragraph numbers have changed, the revisions do not relate to anything that is fundamental to the main issues in this appeal. The parties would not therefore be prejudiced by reference to the revised Framework.

Main Issues

4. The main issues in relation to this appeal are;
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework 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 is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

¹ The Town and Country Planning (Use Classes) Order 1987 (as amended).

Reasons

Inappropriate Development

5. Policy SP4 of the Central Bedfordshire Local Plan (CBLP) 2021, advises that there is a general presumption against inappropriate development within the Green Belt. It specifies that development proposals within the Green Belt will be assessed in accordance with the guidance contained in the Framework and the Planning Practice Guide. It goes on to advise that the redevelopment of brownfield sites within the Green Belt will be acceptable as long as the redevelopment would not have a greater impact on the openness of the Green Belt or the purposes for including land within the Green Belt than the existing development.
6. Paragraph 154 of the Framework indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate within the Green Belt. The appellant considers that the proposal meets the exception for the limited infilling or the partial or complete redevelopment of previously developed land under paragraph 154(g). The Framework does not seek to define 'redevelopment.' However, taken in its ordinary meaning as explained in the Cambridge English Dictionary, redevelopment is the process of replacing buildings in an area with new ones.
7. The description of development and the nature of the proposed works shown on the proposed plans indicate that the proposal amounts to the extension and alteration of the existing property. It would not result in the replacement of a building with a new one. For this reason, the proposal would not fall for consideration under paragraph 154(g) of the Framework, a view I note is shared by the Council². Neither would it fall under the section of Policy SP4 that relates to the redevelopment of brownfield land.
8. Instead, the Framework makes provision for 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, under the exception set out at paragraph 154(c). The appellant agrees that the proposal could be considered as an alteration sufficient to meet this exception³. The Framework defines the term 'original building' as being a building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally. The Framework does not however, provide a definition of 'disproportionate additions.' It is therefore a matter of planning judgement.
9. The Central Bedfordshire Design Guide (CBDG) 2023, advises 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. Both parties agree that the appeal property has been previously extended and this was clear to see during my visit.
10. The Council has calculated that the proposal when considered in combination with the existing extensions would lead to a 48.2% increase in footprint, 166.5% increase in floorspace and 88% increase in volume. The appellant has not sought to dispute these figures in his statement of case. It seems from the evidence before me that notwithstanding that there would be no increase to the footprint of

² As set out in the Council's letter to the Planning Inspectorate dated 4 February 2024.

³ Appellant's email to the Planning Inspectorate dated 6 February 2025.

the property, the proposal would fail to comply with the CBDG guidance in terms of floorspace and volume. The departure from the guidance in these respects would be significant.

11. In addition, I observed that the existing rear extensions have already added significant bulk to the property and whilst they result in a complicated appearance, the use of 3 projecting rear gables does break down the mass of the extensions, allowing the original rear roof slope to remain visible.
12. No section drawing has been provided. However, the proposed roof plan and elevation drawings indicate that the addition of a crown roof would in effect create a first-floor flat roof extension with a very steeply pitched rear wall. This would effectively infill the current gaps between the rear gable projections. The proposed development would therefore in combination with the existing extensions, add considerable bulk to the existing property, simultaneously obscuring the entire original rear roof slope.
13. I find that the proposed development would fail to comply with the guidance contained within the CBDG and would be disproportionate to the size and scale of the original building when combined with the previous extensions, visually and volumetrically.
14. Consequently, for the reasons given, the proposal would not meet either of the exception tests of paragraph 154(c) or (g) of the Framework. It would therefore be inappropriate development in the Green Belt.

Openness

15. Paragraph 142 of the Framework indicates that openness is an essential characteristic of the Green Belt, with a key objective being to keep land permanently open. Openness has both a visual and spatial dimension.
16. The proposed development whilst not extending the property further into the Green Belt at the rear, would nonetheless add bulk and mass to the property, eroding 3-dimensional space and obscuring the original rear elevation. Although located at the rear of the building the increased mass and scale would be visible from the nearby public footpath which crosses the adjacent field, albeit it at a medium distance. This would particularly be the case in winter when the trees on the intervening boundary would not be in leaf. When combined with the bulk and scale of the previous extensions, the proposal would impact on the spatial and visual dimensions of the appeal site, resulting in a moderate loss of openness.
17. Even if I were to find that the proposal would not affect the openness of the Green Belt, the absence of harm would be a neutral matter that weighs neither for, nor against, the proposal. It would not amount to very special circumstances.
18. Conflict is thus found with paragraph 142 of the Framework as set out above.

Other Considerations

19. Reference is made to the proposal resulting in a visual improvement to the existing property as well as an improved internal layout. I acknowledge that it would result in a less complicated appearance but nonetheless a flat crown roof would not reflect the traditional dual-pitched roof of the building or its later additions. Moreover, there is no suggestion in the evidence presented that the proposal is

the only way of improving the appearance, nor that the layout of the existing property prevents it from being occupied and utilised in practical terms.

20. The appellant refers to the use of solar panels in their statement of case suggesting that they could be conditioned. The details of any such provision are not included on the proposed plans such that I am not clear of the appellants intentions in this regard. Even if solar panels are proposed as part of the development, there is no evidence that the use of such technology is inherently reliant on the scheme before me. Neither is there any substantive evidence that it would not be possible to insulate the existing roof configuration to today's building regulation standards, without compromising on floorspace.
21. Taken together, these other considerations attract no more than limited weight.

Other Matters

22. Reference is made to paragraph 73 of the Framework (previously paragraph 70) which advises that small to medium sites can make an important contribution to meeting the housing requirement of an area. However, there is no evidence before me that the proposal includes the change of use of the existing building, nor equates to the provision of a new house that would contribute to local housing land supply. This does not affect my findings.

Green Belt Balance and Conclusion

23. The proposal would amount to inappropriate development in the Green Belt resulting in a moderate loss of openness. Referring to footnote 7 of paragraph 11 of the Framework, this is one such policy that, when applied, provides a clear reason for refusing the development proposed. The appeal scheme would not therefore benefit from the presumption in favour of sustainable development.
24. The Framework establishes that substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are outweighed by other considerations.
25. Whilst some factors have been highlighted in favour of the proposal, the considerations presented by the appellant relating to the visual improvement and energy efficiency of the existing building do not provide anything other than limited weight. Consequently, these considerations do not outweigh the substantial weight that I am directed to give to Green Belt harm. The very special circumstances necessary to justify the proposal do not exist. Accordingly, the appeal is dismissed.

M Clowes

INSPECTOR