
Appeal Decision

Site visit made on 25 February 2025

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st April 2025

Appeal Ref: APP/P0240/D/24/3345683

10 Knolls View, Totternhoe, Central Bedfordshire LU6 2BT

- 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 Gordon Datlen against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00750/FULL.
 - The development proposed is the retention of side dormer, single storey rear extension (part retrospective) and rear outbuilding (retrospective).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Mr G Datlen against Central Bedfordshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. On the application form it has been indicated that the works subject of the application have been started. This correlates with my observations on-site. However, as I cannot be certain that the works have been completed in accordance with the submitted details, the development subject of this appeal is dealt with as a proposed scheme.
4. A side dormer was included within the description of development on the application form. This feature is shown on the submitted plans, and it is cited within the description of development on the decision notice. As such, and even if this element of the scheme is permitted development, it falls to be considered as part of this appeal.

Main Issues

5. The appeal site is within the Green Belt. Therefore, the main issues are;
 - whether the scheme 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; and;
 - if the scheme would be inappropriate development, whether any harm by reason of inappropriateness, and any other harm would be clearly outweighed by the other considerations, so as to amount to the very special circumstances required to justify it.

Reasons

Whether inappropriate development

6. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 153 of the National Planning Policy Framework (the Framework) states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 then states that development in the Green Belt should be regarded as inappropriate unless one of a number of stated exceptions apply. In certain circumstances, Framework paragraph 155 identifies other types of development which should also not be regarded as inappropriate.
7. Amongst other things, policy SP4 of the Central Bedfordshire – Central Bedfordshire Local Plan 2015 – 2035 – July 2021 (the Local Plan), and policy T1 of the Totternhoe Parish Council - Totternhoe Neighbourhood Plan 2020-2035 – Adopted version (the Neighbourhood Plan), relate to the Green Belt. Collectively, these policies seek to guard against inappropriate development in the Green Belt. They also indicate that proposals for development in such areas should be assessed in line with the Framework and National Planning Practice Guidance. As such, for this appeal, and in respect of matters related to the Green Belt, policies SP4 and T1 broadly conform with the provisions of the Framework.
8. An exception at paragraph 154. c) of the Framework, is the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. What would constitute such an addition is not defined within the Framework or development plan policies DP4 or T1. Nevertheless, the Council's supplementary planning document titled the Central Bedfordshire Design Guide - August 2023, provides a useful steer in respect of the maximum extent of enlargement that may still be considered as proportionate. As a guide, for development in the Green Belt, it indicates that the original building should not be added to by more than 60% of footprint, floorspace, and volume, to be considered as proportionate.
9. The dwelling on the appeal site comprises a detached building that has been subject of several previous enlargements at both ground and first-floor levels. The proposed single-storey extension to the rear of the lounge and the dormer window would further enlarge the building. These, in combination with the previous extensions to the building, would result in its overall massing and volume being substantially greater than that of the original building. Moreover, the uplift in its footprint and floorspace, would exceed that of the original building by significantly more than 60%. As such, and in combination with the previous additions, the proposed extensions would represent a disproportionate addition over and above the size of the original building.
10. Works to construct an outbuilding on the appeal site are well advanced. However, I have no reason to conclude that the resultant structure is currently lawful, or, that it replaces a former building in the same use and is not materially larger than such a building. That being the case, the proposed outbuilding would not comply with the exception at 154. d) of the Framework.
11. Moreover, it has not been demonstrated that either the extensions or the outbuilding would meet any of the other exceptions at paragraphs 154 or 155 of the Framework.

12. For these reasons, the scheme would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.

Effect on openness

13. The house on the appeal site comprises one in a row of such properties. Several contain outbuildings and structures of a variety of types and sizes within their rear gardens. From those locations where the proposed development would be visible, the low rear extension would be contained inside of the outer envelope of the existing house on the appeal site, and the side dormer would read as a very small addition to it. Furthermore, the fairly modest single-storey outbuilding would be well-contained within the rear garden. As such, and although the scheme would increase the amount of built development on the site, it would only lead to a very small and highly localised reduction in the openness of the Green Belt.

Other considerations

14. In 2024, planning permissions were granted for an outbuilding - ref: CB/23/03928/FULL, and a single-storey rear extension – ref: CB/23/03929/FULL, on the appeal site. Neither scheme included the side dormer that forms part of this appeal. Albeit to a small extent, both the outbuilding and the extensions subject of this appeal would have a materially larger volume and massing than the developments authorised by these previous planning permissions. As such, these fallback schemes do not lead me away from my previous findings.
15. Furthermore, it is not clear that there is a greater than theoretical possibility of permitted development rights being used to undertake development that would have either the same effect or be more harmful to the Green Belt than the appeal scheme as a whole. Accordingly, I attribute little weight to this consideration.
16. I do not doubt that the appeal scheme would help to modernise the property and make it more comfortable and suitable for the appellant's growing family. However, given the small scale of the scheme, very little weight can be attributed to these benefits.
17. Although the development would not cause harm to either the character and appearance of the area or the living conditions of the occupiers of the neighbouring properties, these are neutral considerations.

Other Matters

18. Even if the site is within the Chilterns Beechwoods Special Area of Conservation (SAC) or its zone of influence, there is no need to consider the implications of the proposed development on this protected site. This is because the scheme is unacceptable for other reasons.

Conclusion

19. The appeal scheme would be inappropriate development in the Green Belt. It would also lead to a very small loss of openness within it. For these reasons, it would cause harm to the Green Belt. In accordance with paragraph 153 of the Framework, substantial weight is attributed to this harm.
20. The other considerations in this case do not clearly outweigh the harm by reason of inappropriateness and any other harm I have identified. Consequently, the very

special circumstances necessary to justify the development do not exist. As such, the development would conflict with policy SP4 of the Local Plan and policy T1 of the Neighbourhood Plan.

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that this appeal should be dismissed.

V Simpson

INSPECTOR