



Appeal Decision

Site visit made on 2 April 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/N4720/D/24/3356457

3 Lister Farm Cottages, Rooms Lane, Morley, Leeds LS27 7NL

- 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 Iceton against the decision of Leeds City Council.
 - The application Ref is 24/03693/FU.
 - The development proposed is a 2-storey extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024. Other than changes to paragraph numbering between the current and previous versions of the Framework, the sections relevant to the matter before me have not materially changed.

Main Issues

3. The main issues are:
 - Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework)
 - the effect on the openness of the Green Belt; and
 - if the proposal is inappropriate development, 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 proposal.

Reasons

Whether inappropriate development

4. The appeal property comprises the end dwelling in a row of traditional modest rural terraced homes. The property is located within the Green Belt and has already been extended by a two-storey side and rear extension, and a single storey rear extension. The property also has a hipped roof porch at the front. Although in a relatively isolated location, the property is in an elevated position relative to Gelderd Road. Therefore the rear of the appeal property is visible in the wider surrounding area as well as in closer views from Rooms Lane and other nearby

homes. The proposal seeks to add a 3 metre two-storey extension at the rear. This would adjoin the existing two-storey rear element, maintaining the same height.

5. The Government attaches great importance to Green Belts. 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. In this case, the Framework at paragraph 154 c) advises that development in the Green Belt is inappropriate unless the extension or alteration does not result in disproportionate additions over and above the size of the original building. The Framework does not define what constitutes a disproportionate addition, but it includes any extensions over and above the original building.
6. Policy N33 of the Leeds Unitary Development Plan (Review 2006) (the UDP) sets out the Council's approach to the control of development within the Green Belt. It explains that except in very special circumstances approval will only be given for, amongst other things, the limited extension of existing dwellings. What constitutes limited extension is provided within HDG3 of the Householder Design Guide Supplementary Planning Document, April 2012 (the SPD). The figure is 30% increase over and above the original house volume is not a limited extension.
7. Although the SPD adds that the 30% volume figure will inform the majority of decisions involving Green Belt applications, the figure is not definitive. I have not been provided with the volume of the original dwelling, or subsequent extensions by either party. However, the appellant has explained the proposal would add a further 113m³ and has not disputed that the volumetric figure would exceed the guidance in the SPD. Accordingly, in this case whether the proposed extension would be a disproportionate addition and therefore inappropriate development is a matter of planning judgement.
8. Taking into account the drawings and my site observations of the host property and adjoining terraces, I am of the view that the proposal would considerably enlarge the existing roof and plan form, resulting in a substantial side and rear wing. Whilst there would be minimal alteration to the principal elevation facing Rooms Lane the overall size increase of the existing two-storey side and rear extension combined with the proposal exceeds the width of the original building. Despite the slight reduction in ridge height, the overall combined scale, bulk and massing of the extensions, particularly at first floor level, dominates the modest form of the original building which would be overwhelmed by later additions. This is clearly disproportionate over and above the size of the original building.
9. I therefore conclude that the appeal scheme is inappropriate development in the Green Belt. The proposal conflicts with Framework paragraph 154 c). In considering the overall increase in the size of the original building, cumulatively the proposal cannot be regarded as a limited extension. As well as being inappropriate development, the proposal therefore does not comply with UDP Policy N33 in this regard. For similar reasons, the proposal would not accord with Policy HDG3 of the Council's SPD.

Openness

10. Openness has both a visual and a spatial aspect. Spatially, the extension adds to the outward spread of the appeal building. Notwithstanding the extent of adjacent properties the appeal scheme adds to the existing building where previously there

was no structure or building. This fills a gap which allowed views, albeit limited, across the appeal site.

11. Visually, the form and appearance follows closely that of the existing two-storey side and rear extension. It would be simply seen as part of the existing dwelling, particularly when viewed from longer distant views. However, when viewed from close quarters the additional projection would add to the visual impact of the extension and would be seen prominently from neighbouring land.
12. There is an inevitable effect on openness in both spatial and visual terms. However, although it is largely seen in the context of the host property and the surrounding buildings, there would be some very minor encroachment in the countryside, as the property can be seen in this context, and it would be seen marginally closer in longer distant views. Overall the proposal would result in a small level of harm to openness and to the purposes of the Green Belt.
13. However, inevitably I must conclude that development does not preserve the openness of the Green Belt or the purposes of including land within it. The proposal therefore conflicts with the aims and purposes of the Green Belt respectively contained in paragraphs 142 and 143 of the Framework. The development is also contrary to the guidance contained in HDG3 of the SPD, which seeks to ensure development does not harm the openness.

Other considerations

14. No other harms have been identified by the Council. However, the lack of harm in these respects' weighs neither for nor against the proposal. Extending the property would likely meet the appellant's need for increased accommodation. However, no specific justification or any case pertaining to the existence of very special circumstances have been provided for the proposal.
15. Furthermore I note the Council's SPD states that relatively minor extensions which represent additions to existing larger extensions which are already disproportionate additions are unlikely to be able to be considered as being very special circumstances.
16. The proposed development would be inappropriate development in the Green Belt. The Framework indicates that inappropriate development is, by definition, harmful. The proposal would also result in a small level of harm to openness and to the purposes of the Green Belt. The proposal would not constitute a limited extension in conflict with Policy N33 of the UDP. The proposal would also not reflect the guidance in the SPD relating to the cumulative volume increase of extensions and very special circumstances. In accordance with paragraph 153 of the Framework, I must attach substantial to weight to these harms.

Balance and Conclusion

17. The other considerations highlighted above; do not clearly outweigh the substantial weight attributable to the harms. Consequently, the very special circumstances necessary to justify the proposed development do not exist.
18. The proposal conflicts with the development plan. The proposal also conflicts with the Framework. Together the conflict with the development plan and the Framework indicates that the appeal should not succeed. I conclude the appeal should be dismissed.

K Williams

INSPECTOR