



Appeal Decision

Site visit made on 27 May 2025

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

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/U2750/D/25/3363239

Stewards House, Butts Lane, Lumby, North Yorkshire LS25 5JA

- 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 James McGann against the decision of North Yorkshire Council.
 - The application reference is ZG2024/1235/HPA.
 - The development proposed is raising roof level and matching dormer window on the old garage building (previously converted into habitable room) to create an en-suite accessed via first floor bedroom.
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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; 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 dwelling lies within the Green Belt. It has been significantly extended. The council suggest that the original dwelling had a volume of 481m³ and the extended property has a volume of 809m³. The proposal would add a further 44m³. The percentage increase over and above the original volume would therefore be in the region of 77%. These figures have not been disputed nor has the definition of the original building as described by the council.
4. Policy SP3B of the Selby District Core Strategy 2013 advises that in accordance with the National Planning Policy Framework, within the defined Green Belt, planning permission will not be granted for inappropriate development unless it has been demonstrated that very special circumstances exist to justify why permission should be granted. The National Planning Policy Framework 2024 advises that new buildings should be regarded as inappropriate unless they fall within a specified exception. 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. This is also the case with regard to the development plan. The 77%

increase figure does however suggest that, taken cumulatively with previous extensions, the proposal would result in disproportionate additions over and above the size of the original building. Having viewed the dwelling and the existing additions, although the new extension would be of a limited scale itself and well contained within the site, above existing development, it would in combination with other additions, significantly increase the size of the original building and would constitute a disproportionate addition over and above the size of the original building.

6. As the proposal would not satisfy the exceptions within the Framework, the proposal would represent inappropriate development in the Green Belt. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy SP3 is consistent with this.
7. The council have clearly accepted previous large increases to the volume of the property. Furthermore, the proposed extension would be closely associated with the remaining built form of the house. The house itself is within an area of the settlement where there are a range of buildings that are very closely related. These factors ensure that the proposal would have only a limited impact on the openness of the Green Belt.
8. The scale of the extension would detract from the proportions of the frontage of the house but as it would be set away from the road and public views, this would not result in significant harm. The works would improve the internal arrangements and facilities of the property which would be of benefit to the appellant. The construction costs would also add to the local economy.
9. The Framework is clear that very special circumstances 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. Although there would be very limited other harm, there would be harm from inappropriateness. The considerations put forward in support of the extension do not clearly outweigh the harm from inappropriateness. The considerations do not therefore represent the very special circumstances that are necessary to justify the development. The proposal would therefore conflict with the Framework and policy SP3. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR