
Appeal Decision

Site visit made on 26 November 2025

by **S Leonard BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 December 2025

Appeal Ref: APP/F0114/D/25/3366249

22 Larkspur Rise House, Innox Grove, Englishcombe, Bath BA2 9DX

- 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 Matt Burton against the decision of Bath and North East Somerset Council.
 - The application Ref is 25/00204/FUL.
 - The development proposed is loft conversion with addition of rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site lies within the Bath and Bristol Green Belt and therefore the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the *National Planning Policy Framework 2024* (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property and the surrounding area; and
 - If the development is inappropriate, whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Background

3. The appeal property comprises an end-of-terrace two-storey dwellinghouse within a row of dwellings on the south side of Innox Grove. This cul-de-sac street comprises a small enclave of built development in the southern part of the small hamlet of Englishcombe, which lies in a rural location to the southwest of Bath. The road is surrounded by undeveloped open fields to all sides.
4. The Framework attaches great importance to Green Belts and confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It confirms that the essential characteristics of Green Belts are their openness and their permanence. It goes on to state that inappropriate

development is harmful to the Green Belt and should not be approved except in very special circumstances.

5. Paragraphs 154 and 155 explicitly set out which forms of development are considered not to be inappropriate in the Green Belt. These 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* (paragraph 154 c).
6. Policy CP8 of the *Bath and North East Somerset (BaNES) Core Strategy* (July 2014) (the CS), Policy GB1 of the *BaNES Placemaking Plan* (July 2017) (the PP) and Policy GB3 of the *BaNES Local Plan (Core Strategy and Placemaking Plan) Partial Update* (January 2023) (the LPPU) reaffirm that the openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy, that development should seek to enhance the visual amenities of the Green Belt, and that proposals to extend or alter a building in the Green Belt will only be permitted provided they would not represent a disproportionate addition over and above the size of the original dwelling. These policies accord with the provisions of the Framework, and I afford them weight in my decision.

Whether inappropriate development

7. The proposal is to convert part of the existing roof space into additional living accommodation to provide an extra bedroom and bathroom which would be facilitated through the provision of a rear elevation dormer and front-facing roof lights.
8. As such, paragraph 154 c) of the Framework applies. The Framework does not define a precise percentage volume increase figure which comprises a 'disproportionate' addition. However, the Council has adopted a supplementary planning document titled *Existing Dwellings in the Green Belt* (the Green Belt SPD) to guide decisions on proposals within the Green Belt. Although adopted in October 2008, it is referenced as a guide to decision-making in CS Policy CP8. Moreover, section 7 aligns with the Framework in respect of its approach to dealing with dwelling extensions within the Green Belt. Accordingly, I attribute weight to the Green Belt SPD in my decision.
9. The Green Belt SPD refers to the cumulative increase in volume of all extensions as a percentage of the original dwelling being used to measure whether an extension is disproportionate. In the case of a well-designed extension, a volume increase of about a third of the original dwelling is considered to be more likely to be acceptable. There is no substantive evidence before me to suggest that this figure is inconsistent with the Framework, and I find it to comprise a reasonable test of whether an extension represents a disproportionate addition.
10. The term 'original dwelling' is defined within the Framework and the Green Belt SPD as the dwelling as it was on 1st July 1948, or if constructed after that date, as it was built originally.
11. The appellant has confirmed that the volume of the original dwelling was 264.23 m³. The property has already been extended by virtue of a two-storey side extension under planning permission granted in 2018¹ (the 2018 permission). This replaced a single storey side conservatory approved in September 1996².

¹ LPA Ref 18/00413/FUL

² LPA Ref 96/02445/FUL

12. The appellant has confirmed that the built side extension has a volume of 166.1 m³. This equates to a volume addition of 62.86% above the volume of the original dwelling. The proposed dormer would add a further 24.84 m³, resulting in a total uplift over and above the original dwelling of 72.26%.
13. I have been given no reason to disagree with the appellant's figures, and they are not disputed by the Council. Accordingly, the Green Belt SPD guidance figure of approximately one-third cumulative volume increase would be significantly exceeded.
14. I acknowledge that the proposed dormer, taken alone, is modest in size and would not amount to a disproportionate increase. However, the additions to the original dwelling need to be considered cumulatively, including the previously approved two-storey extension which has been completed. The resulting large cumulative volume increase over and above that of the original dwelling would be disproportionate in the terms of paragraph 154c) of the Framework.
15. For this reason, therefore, the appeal scheme would be inappropriate development in the Green Belt, having regard to the aforesaid CS, PP and LPPU policies, the Green Belt SPD and the Framework.

Openness

16. The Framework states that one of the essential characteristics of Green Belts is their openness. Openness has a spatial as well as a visual aspect. In terms of openness, the proposal would add bulk, mass and volume to the existing building resulting in built development where currently there is none. This would erode the openness of the Green Belt. This impact would be small having regard to the modest size of the appeal scheme.
17. In visual terms, the proposed position of the dormer on the rear of the building combined with the elevated position of the property in relation to the road frontage onto Innnox Grove and Englishcombe Road and mature vegetation along the side boundary of the site with the latter, means that the appeal scheme would not be visible from Innnox Grove or nearby from Englishcombe Road.
18. However, the proposal would be visible from neighbouring open countryside due to significantly rising land levels beyond the site. The resulting impact upon the openness of the Green Belt in visual terms would also be modest due to the size of the proposal and the distant nature of views of the dormer which would not be perceived as being visually prominent within the prevailing built context of the group of houses in Innnox Grove within which the appeal site sits.

Character and appearance

19. The width of the proposed rear dormer was reduced during the course of the planning application from the originally proposed full width of the dwelling as extended by the previous side addition. Whilst this amounts to a notable reduction of proposed building volume, the appeal scheme would still extend across the width of the original house.
20. As such, it would occupy a considerable amount of the rear roof slope of the appeal property and it would dominate this part of the roof due to its combined

width, height and bulk, with its roof extending close to the main roof ridge height and the lowest part being sited near the existing eaves level. Moreover, the proposed flat roof and resulting boxy form would be out of keeping with the prevailing pitched roof which characterises the appeal property and the residential terrace as a whole.

21. The result would be an unduly bulky and incongruous addition to the rear roof slope. The proposed large area of blank wall around the dormer fenestration would further exaggerate the disproportionately large size of the structure within the existing roof slope. Also, the greater size of the new bedroom window than that of the existing first floor window directly below it would serve to reinforce the top-heavy appearance of the proposal.
22. The proposal would harm the character and appearance of the host property and would also appear discordant and overly large within the consistent pitched roofscape of the rear elevation of the residential terrace when viewed from the open countryside to the rear.
23. The appellant has drawn my attention to extensions to other properties within the road³ at Nos. 7 and 13 Innox Grove. However, these are not directly comparable to the appeal scheme having regard to both the scale and/or nature of the proposals. As such, they do not provide a built context in which the appeal scheme would be justified.
24. For the above reasons, I conclude that the appeal scheme would cause significant harm to the character and appearance of the host property and the wider surrounding area. It would therefore be contrary to CS Policy CP6, PP Policies D1 and D2 and LPPU Policy D5 in so much as these policies seek to ensure that new development is well-designed and contributes positively to local character and distinctiveness and that the appearance of extensions respect and complement their host building.
25. This accords with Chapter 12 of the Framework which seeks to achieve well-designed places.

Whether very special circumstances exist

26. The appeal scheme represents inappropriate development in the Green Belt as defined by the Framework. The Framework indicates that this is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
27. In accordance with the Framework, substantial weight must be given to the harm to the Green Belt that I have identified by reason of the inappropriateness of the appeal scheme and the limited harm I have identified to the openness of the Green Belt. In addition, I have also found harm in respect of character and appearance.
28. I acknowledge the desire of the applicant to increase living space within the

³ LPA Refs 23/00005/FUL and 17/02281/FUL

29. dwelling to accommodate for the family's needs. However, little weight in favour of the development can be attached to such personal circumstances.
30. As such, they would not outweigh the totality of harm that I have identified. Consequently, the very special circumstances necessary to justify the appeal scheme development do not exist. Accordingly, the proposal is contrary to the Framework and the development plan taken as a whole

Conclusion

31. For the reasons given above, I therefore conclude that the appeal should be dismissed.

S Leonard

INSPECTOR