

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/D/11/2154824
Planning Application	11/0117-SG
Proposal	First floor extension above the existing single storey living room and demolition of the existing adjacent garages and outbuilding
Location	Ingestre, Carpenters Hill, Beoley, Redditch, B98 9BS
Ward	Alvechurch
Decision	Refused (Delegated decision) - 5th April 2011

The author of this report is Stacey Green who can be contacted on 01527 881342 (e-mail: s.green@bromsgrove.gov.uk) for more information.

Discussion

The proposal was for a first floor extension above the existing single storey living room and demolition of the existing adjacent garages and outbuilding.

The application was determined under delegated powers and refused on the basis of harm to the openness of the Green Belt. The reason for refusal is noted below:

1. The proposal represents an inappropriate form of development in the Green Belt which would be harmful to the openness of the Green Belt. No very special circumstances exist or have been put forward which outweigh the harm caused. As such, the development is contrary to policies D.38 and D.39 of the Worcestershire County Structure Plan, policy S11 of the Bromsgrove District Local Plan, Supplementary Planning Guidance Note 7: Extensions to dwellings in the Green Belt, and the advice of PPG2.

The Inspector considered the main issues to consider for the appeal were: whether the proposal would constitute inappropriate development for the purposes of Planning Policy Guidance: Green Belts (PPG2) and development plan policy; its effect on the openness of the Green Belt and the purposes of including land in the Green Belt; and, if it is inappropriate development, whether the 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.

The Inspector refers to the 36.78sqm of floor space to be created by the proposal, which has not been contested by the appellant. The Inspector notes

that the floor space of the existing building has been increased by previous extensions to almost double that of the original dwelling, even taking account of the appellant's claim that a single storey part of the original structure had been incorporated into one of the extensions. On this basis, the increase in floor space has already exceeded the 40% limit given in the Council's Supplementary Planning Guidance: Extensions to dwellings in the Green Belt (SPG7) with regard to what is considered to be a disproportionate addition. As such, the proposal would amount to disproportionate additions over and above the size of the original building. Therefore, it would constitute inappropriate development for the purposes of PPG2 and development plan policy.

The Inspector notes that inappropriate development is, by definition, harmful to the Green Belt and that the proposal would result in an increase in the scale of the building which would reduce the openness of the Green Belt and would result in encroachment into the countryside, contrary to one of the purposes of including land in the Green Belt given in paragraph 1.5 of PPG2.

The appellant put forward a number of material considerations which were argued to amount to very special circumstances. The material considerations put forward by the appellant included demolition of 2 garages and an outbuilding that are located away from the dwelling, that are suggested to have a combined floor area that is 14.5sqm greater than that of the proposed extension. The appellant also argued that a structure could be erected away from the dwelling under existing permitted development rights as a fall back position. With regard to these matters, the appellant indicated that these satisfy 2 of the examples given in SPG7 under 'Very Special Circumstances'. The Inspector noted, however, that SPG7 indicates that it is for the local planning authority to assess the weight to be attributed to each of the considerations.

The Inspector comments on the appearance of the buildings to be demolished as being in poor condition with the view that these may require removing regardless of whether planning permission is granted for the proposed extension. While the appellant stated that he is prepared to accept a condition to prevent additional floor space being constructed on the rear or side elevations of the original dwelling, nothing was been put forward that would prevent other buildings being erected away from the dwelling under the existing permitted development rights, even if the Inspector were to grant planning permission for the extension. Therefore, the Inspector attached very little weight to the proposed removal of outbuildings or to the ability to construct a similar sized building under permitted development rights.

The appellant also argued that the proposal would unify the original dwelling with its extensions, overcome dysfunctional issues and allow for sustainable improvements, such as solar water heating and rainwater harvesting. Little evidence was presented to the Inspector to show that the sustainable improvements could not be carried out, and the dysfunctional issues could not be

addressed, without the proposed extension. Accordingly, the Inspector did not give these matters any significant weight.

The Inspector noted that there were no objections from neighbours, but did not consider this to represent a benefit that would weigh in favour of the proposal. The inspector also observed that the extension would be more prominent in views from the nearby public footpath and the road than the outbuildings that would be removed. As such, its effect on the character and appearance of the area would not offer a benefit to which any significant weight could be attached.

In conclusion, the Inspector did not find the appellant's considerations sufficient to clearly outweigh the harm to the Green Belt, and it was considered that the very special circumstances necessary to justify the development do not exist. For the reasons above, the Inspector found that the proposal would be inappropriate development, would reduce the openness of the Green Belt, and would have an adverse effect on the purposes of including land in the Green Belt and the character and appearance of the surrounding area.

It was therefore determined that the appeal should be dismissed.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **DISMISSED** (3rd August 2011).

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.