



## Appeal Decision

Site visit made on 3 January 2019

by **Elizabeth Lawrence BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17<sup>th</sup> January 2019

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**Appeal Ref: APP/X0415/D/18/3215917**

**Glendale, Lycrome Road, Chesham, HP5 3LD.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs H Culmer against the decision of Chiltern District Council.
  - The application Ref PL/18/2660/FA, dated 12 July 2018, was refused by notice dated 6 September 2018.
  - The development proposed is described as a two storey side extension and single storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

- a) Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework 2018 (Framework) and development plan policy.
- b) If the proposal amounts to inappropriate development in the Green Belt, the effect of the proposal on the openness of the Green Belt.
- c) The effect of the proposal on the character and appearance of the host dwelling and the pair of dwellings.
- d) If the proposal amounts to inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, including any public benefits, so as to amount to the very special circumstances necessary to justify the development

### Reasons

*Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy.*

2. The Framework states that within the Green Belt inappropriate development should not be approved except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and substantial weight should be given to any harm to the Green Belt. Paragraph 145 of the Framework states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, other than various stated exceptions. This includes the extension or alteration of an existing building,

- provided that any proposal does not result in disproportionate additions over and above the size of the original building.
3. Consistent with this, together, Policies GB2 and GB13 (a) of the Chiltern Local Plan 1997, including alterations in 2011 (Local Plan), state that the extension of existing dwellings in the Green Belt is not inappropriate subject to certain criteria. Together with any previous extensions, proposed extensions should be subordinate in size and scale to the original dwelling.
  4. Policy GB13 (b) of the Local Plan requires that any additions should not be intrusive in the landscape. In relation to the Appeal proposal the degree of conflict between the Framework and this element of policy GB13 of the Local Plan is significantly more than limited. Paragraph 213 of the Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. As such in this one respect the list of development that may not be inappropriate in the Green Belt, as set out in the Framework, carries more weight than policy G13 (b) of the Local Plan.
  5. The Council has stated in its delegated report that, together with the existing extensions, the proposal would increase the floor area of the original dwelling by some 86.8%. The Appellant does not dispute the accuracy of this figure. However, floorspace is not the only consideration, as footprint, volume, width, depth and scale can all be relevant when assessing whether a proposal would result in disproportionate additions to the size of the original dwelling.
  6. The proposed extension would be less than one metre narrower than the front elevation of the original dwelling and together with the proposed front canopy it would project forward of the front building line of the original dwelling. In addition, its ridge line would be only marginally lower than that of the original dwelling. Whilst the existing single storey rear extension is modest in size and form, it would none-the-less add to the size of the resultant additions to the original dwelling.
  7. As a result of these factors, I conclude on this main issue that the proposed extension, together with the existing extension, would amount to disproportionate additions over and above the size of the original dwelling. This would be contrary to policies GB1 & GB13 of the Local Plan and the Framework. Substantial weight must be given to the harm resulting from the inappropriateness of the proposed development.

*The effect of the proposal on the openness of the Green Belt.*

8. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl and to keep land permanently open. The proposed extension would materially increase the width and mass of the dwelling above ground floor level and would materially reduce the open gap between the existing dwellings and the eastern boundary of the site, where it adjoins an open field.
9. As a consequence, whilst its impact on the openness of the Green Belt would not be significant, the proposed extension would reduce the openness of the site and this part of the Green Belt.

10. I conclude on this main issue that the proposed scheme would detract from the openness of the Green Belt contrary to the Framework. This together with the harm caused by inappropriateness need to be given significant weight.

*Character and appearance*

11. Collectively and amongst other things policies GC1, GB13 and H15 of the Local Plan and policy CS20 of the Adopted Core Strategy for Chiltern District 2011 (Core Strategy), require new development to be designed to a high standard. Extensions should respect the scale and proportions of the host building and its roof should be subordinate to that of the host dwelling. At the same time extensions should not be intrusive in the landscape. These policies are consistent with the Framework, which seeks to ensure that new development is sympathetic to local history and character and adds to the overall quality of the area.
12. The Appeal dwelling is located at the end of a row of two pairs of uniformly designed semi-detached dwellings with prominent front gables and a central chimney. The dwelling at the other end of the row of dwellings (Little Paddock), has a similar extension to the proposed extension. However, this existing extension is less than four metres in width, its ridge line sits well below that of the host dwelling and it does not project forward of the front building line of the original dwelling. Overall, whilst it changes the appearance and form of the pair of dwellings, it nonetheless respects the proportions, roof pitch and detailing of the host dwelling and the row of dwellings.
13. The proposed extension would be similar in form and detailing, although it would be some 40cm wider, materially taller and its front open canopy porch would project forward of the front building line of the original dwelling.
14. As a result, rather than mirror the extension at Little Paddock, the proposed extension would appear unduly bulky and dominant. Due, in particular to the mass and height of its roof, it would dominate and would fail to respect the more modest scale and proportions of the host dwelling and the pair of dwellings.
15. I conclude on this main issue that the proposed extension would materially and unacceptably detract from the character and appearance of the host dwelling and the pair of dwellings. It would therefore conflict with policies GC1, GB13 and H15 of the Local Plan, policy CS20 of the Core Strategy and the Framework. In view of the prominence of the appeal site within the street scene I give considerable weight to this harm.

*Other considerations*

16. The Appellant has pointed out that the Appeal scheme is materially smaller than a previous scheme, which was refused by the Council. In addition, it is acknowledged that the proposed extension is very similar in form to the existing extension at Little Paddock. However, as previously stated the extension at Little Paddock is materially smaller than the proposed extension. As a result, the existing extension at Little Paddock appears subordinate and proportionate to its host dwelling, both on its own and together with the single storey rear addition to that property.
17. Conversely, due to its mass and height the proposed extension, together with the existing rear extension amount to a disproportionate addition over and

above the size of the original building. Accordingly, I give very little weight to this factor.

18. I have also taken into account and given a modest amount of weight to the benefits for the Appellant's and their family that would result from the additional habitable accommodation and associated improvements to the host dwelling.
19. I conclude on this main issue that the other considerations put forward in favour of the proposal both individually and collectively fail to clearly outweigh the general presumption against inappropriate development in the Green Belt; the substantial weight to be attached to the harm caused by the inappropriateness of the development; the harm to the openness of the Green Belt; the harm to the character and appearance of the host dwelling and the pair of dwellings; and the conflict with policies GC1, GB2, GB13 and H15 of the Local Plan, policy H15 of the Core Strategy and the Framework. Therefore, the very special circumstances necessary to justify the proposal do not exist.

### **Conclusion**

20. For the reasons given above I conclude that the Appeal should be dismissed.

*Elizabeth Lawrence*

INSPECTOR