The Planning Inspectorate

Appeal Decision

Site visit made on 20 December 2017

by Mike Worden BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th January 2018

Appeal Ref: APP/B3438/D/17/3185379
The Cottage, Hill Top, Brown Edge ST6 8TY

- 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 and Mrs Corbett against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2017/0030, dated 17 January 2017, was refused by notice dated 22 August 2017.
- The development proposed is alterations and extensions to dwelling and replacement outbuilding.

Decision

1. The appeal is allowed and planning permission is granted for alterations and extensions to the dwelling at The Cottage, Hill Top, Brown Edge ST6 8TY in accordance with the terms of the application, Ref SMD/2017/0030, dated 17 January 2017, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing as existing dated October 2014; Drawing No. Planning 3 showing proposed elevations and floor plans dated November 2016; Drawing no 1A showing proposed elevations and floor plans of the garage dated October 2016.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

    4) Notwithstanding the approved drawing no *Planning 3 showing proposed elevations and floor plans dated November 2016*, an amended plan shall be submitted to and approved in writing by the Local Planning Authority to confirm the location of the window in the gable end of the proposed bedroom extension.

Main Issues

2. The main issues are:

    - Whether the proposed development would be inappropriate development in the Green Belt;

- the effect of the proposed development on the openness of the Green Belt; and,
- if the proposed development is inappropriate, 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.

Reasons

Inappropriate development

3. Paragraph 89 of the National Planning Policy Framework (the Framework), sets out the categories of development which may be regarded as not inappropriate development in the Green Belt, subject to certain conditions. 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, is not inappropriate development. Neither the Framework, nor any policies referred to me define what is meant by disproportionate.

4. The appeal site comprises a cottage and large detached garage which lies in the corner of a large plot in the Green Belt. The cottage is positioned at 90 degrees to the road and lies at a lower level to the garage and the remainder of the plot. The appeal site is in open countryside and there are individual dwellings and farm buildings in the vicinity.

5. The cottage is two storey with dormer windows on the first floor which face out towards the garage. The cottage has a single storey extension which includes a large conservatory. The proposed development would remove the conservatory and construct a two storey extension to the cottage to create a larger third bedroom on the first floor and a kitchen/dining room on the ground floor. The proposal would also include a small single storey extension to the front of the cottage.

6. The proposed development includes replacing the existing garage with a smaller building. The Council considers that this part of the proposal accords with the provisions of the Framework and would not be inappropriate development.

7. The Council has previously granted planning permission[1] for a two storey extension to the cottage. The current proposal would add around 2m in length to the approved scheme and infill the area in front of the existing entrance door. I have not been provided with any specific detail or the floorspace dimensions of the historic extensions to the house over and above the original dwelling, although the additions are referred to in the Council report.

8. The proposed development would see the removal of the large ground floor conservatory and although the proposed extension would be two storey, it would not extend out as far out as the existing conservatory does at present. The Council's Supplementary Planning Guidance: *Design principles for development in the Staffordshire Moorlands* (the SPG), expects extensions to be subordinate to the existing building so that the original building

[1] SMD/2016/0296

dominates. The proposed extension would be subordinate to the existing property and would not be out of scale with it.

9. Given that the Council was satisfied that the previous scheme was not a disproportionate addition to the dwelling, I consider that on balance the additional length of around 2m would not make the now proposed addition disproportionate, taking into account the size and form of the existing house. The removal of the conservatory and the proposed development not extending out as far as the conservatory currently extends to, are important considerations in arriving at my decision.

10. In reaching this view I have also had regard to the additional dormer window proposed at first floor level which I consider would not appear out of place. The proposed infill of the area in front of the entrance door would not, in my view, amount to a disproportionate addition when considered cumulatively with the proposed side extension.

11. For the above reasons, I therefore conclude that the proposed development would not be inappropriate development in the Green Belt as defined by paragraph 89 of the Framework, as the proposed extensions to the house would not be disproportionate additions, and the proposed replacement garage would be smaller than the existing one.

12. The proposed development would accord with Policy SS6c of *Staffordshire Moorlands Core Strategy* (the Core Strategy) which sets out the strategy for the other rural areas and which amongst other things, requires control to be exercised over inappropriate development within the Green Belt in accordance with Government policy. It would also accord with the provisions of the SPG and Policy R2 of the Core Strategy which sets out requirements for rural housing, including extensions to existing dwellings.

Openness

13. Since I have concluded that the proposed extensions to the cottage would not be inappropriate development in the Green Belt as the proposed additions are not disproportionate, I consider that the proposed development would not have a harmful effect on openness as impact on openness is implicitly taken into account in the exceptions set out in paragraph 89 of the Framework. The proposed garage would be smaller than the one it would replace and is not inappropriate development. I consider that it would be an improvement on openness given the reduced size.

Other considerations

14. Since I have concluded that the proposed development would not be inappropriate development in the Green Belt, and there is no other identified harm, I do not need to consider whether there are very special circumstances which would justify the development.

Conditions

15. I have considered the Council's suggested conditions in relation to Planning Practice Guidance and the Framework. In addition to the standard condition relating to the time period for implementation, conditions are necessary to specify the plans to which the permission relates in the interests of clarity and

certainty and to require matching materials in the interests of the character and appearance of the area.

16. There is an error on *Drawing no: Planning 3* in that there is a bedroom window shown on the proposed first floor plan but not on the corresponding front elevation plan. I agree with the Council's suggestion that this could be dealt with by way of a condition and therefore I have imposed one in this regard.

Conclusions

17. I have found that the proposed extensions and alterations to the cottage would not represent disproportionate additions and therefore would not be inappropriate development in the Green Belt. The proposed garage would not be inappropriate development as it would be smaller than the one it would replace.

18. For the reasons set out above and having considered all matters raised, I therefore conclude that the proposed development would not be inappropriate development in the Green Belt and that the appeal should be allowed.

Mike Worden

INSPECTOR