The Planning Inspectorate

# Appeal Decision

Site visit made on 10 December 2018

**by Julie Dale Clark BA (Hons) MCD DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11th January 2019**

**Appeal Ref: APP/B3438/D/18/3213689**
**Limerick Farm, Devils Lane, Longsdon ST9 9QP**

- 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 D & K Edge against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0301, dated 10 May 2018, was refused by notice dated 20 July 2018.
- The development proposed is proposed first floor extension with external alterations to north elevation and internal alterations.

## Decision

1. The appeal is dismissed.

## Main Issues

2. I consider that the main issues are:-

    - whether the proposed extension constitutes inappropriate development in the Green Belt and its effect on openness;
    - the effect on the character and appearance of the original dwellinghouse; and
    - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances necessary to justify the development.

## Reasons

*Green Belt*

3. The appeal site is a detached dwelling set back from Devils Lane in a rural location.

4. The site is within the Green Belt and the National Planning Policy Framework[1] explains that inappropriate development is, by definition, harmful to the Green Belt. The extension or alteration of a building is not considered inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.

[1] Ministry of Housing, Communities & Local Government National Planning Policy Framework, July 2018 (the Framework.)

5. Core Strategy[2] Policy SS6c sets out a strategy for other rural areas not included in its larger and smaller villages strategies. It states that strict control will be exercised over inappropriate development only allowing for exceptions as defined by Government Policy. Policy R1 relates to rural diversification but indicates that inappropriate development that is otherwise acceptable within the terms of this policy, will still need to be justified by very special circumstances. Policy R2 relates to rural housing and indicates that extensions to existing dwellings will be permitted provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area.

6. The house has been extended in the past but, according to the appellants, this involved demolition of existing buildings. The appellants therefore dispute that the resulting building is disproportionate to that which originally existed. However, some of the demolition that took place seems to have occurred to allow for the alterations to the original house, including incorporating an outbuilding into the fabric of the house. Two extensions have also been approved to the property. These have been built.

7. Whether the outbuildings are taken into account or not, the appellant's claim that the increase resulting in the proposed extension would be extremely small. Although there seems to be some acceptance that previous works have amounted to disproportionate additions (figures of an increase from 103% to 109% or from 81% to 83% are quoted). I do not accept that previous demolitions should be taken into account at this time.

8. The building has previously undergone substantial extensions which amount to disproportionate additions. Whilst the extension would increase these by a modest amount, incremental increases however small do not mean that the additions are any less disproportionate. The framework makes it clear that disproportionate additions above the size of the original building are inappropriate. This therefore carries significant weight.

9. The extension would not extend the footprint of the house but would comprise a small infill at first floor level. Due to the scale and position of the proposed extension, I do not consider that the openness of the Green Belt would be harmed.

*Character & Appearance*

10. The front of the house faces south whilst the extension would be on the north. It would be at first floor level but I consider that its design, proportions and general appearance would not appear out of keeping with the house as it appears now. Core Strategy Policy DC1 sets out design criteria which generally requires well designed development that reinforces local distinctiveness. The Council's Design Guide[3] requires extensions to harmonise with the parent building; respect the dominance of the building; and be subordinate to it in terms of scale and massing. I do not consider that the proposal conflicts with Policy DC1 or the Design Guide.

[2] Staffordshire Moorlands Local Development Framework A Local Plan for the future of Staffordshire Moorlands Core Strategy Development Plan Document, Adopted version 26 March 2014.
[3] Staffordshire Moorlands District Council Design Guide, Adopted as Supplementary Planning Document, 21 February 2018.

*Other Considerations*

11. The appellants consider that previously demolished outbuildings should be taken into consideration. I disagree as those building no longer exist and so cannot be used in an assessment of this proposal especially as they seem to have been considered as part of previous assessments. I therefore afford this limited weight.

12. The appellants also argue that an extension could be constructed under permitted development rights which could have a greater impact on the openness of the Green Belt. I note that the appellants are prepared to accept a condition requiring the removal of permitted development rights. However this does not persuade me to overcome National Green Belt policy. This matter therefore carries only limited weight.

**Conclusion**

13. The Framework makes it clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances.

14. I have not found harm to the character and appearance of the dwelling nor to the openness of the Green Belt. However, the harm caused by inappropriateness carries substantial weight and I have only given limited weight to the other considerations raised. I have taken all matters raised into consideration but conclude that very special circumstances do not exist to clearly outweigh the harm caused by inappropriate development in the Green Belt.

15. I conclude that the proposal would conflict with the Framework and Local Plan policies referred to. The appeal therefore fails.

*J D Clark*

INSPECTOR