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/18/3213850
1- Moorville Cottages, Leek Road, Moorville, Cellarhead ST9 0DG

- 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 Harris against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0332, dated 23 May 2018, was refused by notice dated 27 July 2018.
- The development proposed is conservatory to rear.

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are:-

    - whether the proposed conservatory constitutes inappropriate development in the Green Belt and its effect on openness; 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 semi-detached house set well back from Leek Road and whilst Leek Road (A520) is a busy road, the pair of houses are located in a fairly isolated 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 area strategies. Amongst other things, it states that strict control will continue to be exercised over inappropriate development in the Green Belt allowing only for exceptions as defined by Government Policy. Core Strategy 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 Council state that the house has been fairly extensively extended in the past. It refers to its records and historical maps which indicate an increase of over 100% over and above the original house. The appellant has not disputed this. Whilst the conservatory, in itself, would be relatively modest the cumulative increases above the size of the original dwelling would amount to a disproportionate addition over and above the size of the original building. It would therefore conflict with the Framework. This carries substantial weight.

7. Whilst the house is set in substantial grounds, surrounded by countryside and I note the various out-buildings on the appeal site together with extensions to the adjoining semi-detached house. Nevertheless, the conservatory would further extend the footprint of the house to the west and notwithstanding that it would be single storey, it would affect the openness of the Green Belt. This adds to the weight referred to above.

Other Considerations

8. The appellant considers that due to the other outbuildings and the relationship between Nos 1 and 2 Moorville Cottages, the impact of the proposed conservatory would barely register as an additional built form. Whilst I accept that in non Green Belt terms the conservatory would be a modest addition to the existing house, Green Belt policy is based on the additions to the original house in terms of inappropriateness. The appellant considers that the openness of the Green Belt would not be harmed. I disagree. Reference to the wording in policies R1 and R2 are also quoted but there is nothing in these policies that overrides Green Belt policy. I therefore afford these matters only limited weight.

Conclusion

9. 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.

10. 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

[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.

in the Green Belt. The proposal would conflict with the Framework and the policies referred to and therefore the appeal fails.

J D Clark

INSPECTOR