The Planning Inspectorate

Appeal Decision

Site visit made on 21 November 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2020

Appeal Ref: APP/B3438/D/19/3237795
The Hollies, Clewlows Bank, Stockton Brook ST9 9LN

- 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 Holmes against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0198, dated 27 March 2019, was refused by notice dated 10 September 2019.
- The development proposed is extension and alterations to existing cottage.

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and so the main issues are:

   - whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework;
   - the effect of the proposal on the openness of the Green Belt;
   - whether the proposal would cause harm to the character and appearance of the area; and
   - 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 it.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in Paragraph 145. One of the exceptions cited is 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'. Policy SS6c of the Staffordshire Moorlands Core Strategy, 2014 (the Core Strategy) confirms that

strict control will be exercised over inappropriate development within the Green Belt by allowing only the exceptions defined in Government policy.

4. The appeal property is a single storey dwelling with a rear lean-to which occupies most of the width of the building. The proposal would involve increasing the ridge height and adding two front dormers to facilitate the creation of a first floor level. A single storey rear extension is also proposed.

5. The Council suggests that the proposal would result in an increase in ground floor area of 67% compared with the original building. Taking account of the increase in height, the Council has further calculated that there would be an increase in volume of 102%.

6. There is disagreement between the parties as to whether the whole of the rear lean-to formed part of the original building and this affects the calculations. The evidence provided from historic maps and photographs is inconclusive. The appellant cites evidence that members of the family remember the lean-to, but this is not backed up by any firm documentary evidence. However, even assuming that the whole of the lean-to was present in 1948 and that the more recent brickwork is a result of rebuilding rather than extension, the appellant has acknowledged that the increase in volume would still be 73%.

7. The Council does not provide any specific guidance on what it considers to be a 'disproportionate addition'. The appellant refers to Core Strategy Policy R2 as providing advice but that appears to give general design advice for extensions, rather than relating the specific test set out in the Framework. In this case, regardless of whether the whole of the lean-to forms part of the original building, the proposed extension and alterations would represent a very significant increase in both floor area and volume. Compared with the original building, the scale of the proposed additions would be disproportionate.

8. The proposal would therefore constitute inappropriate development in the Green Belt, which is by definition harmful and should not be approved except in very special circumstances. It would conflict with Core Strategy Policy SS6c and with the Framework.

Openness

9. Openness is an essential characteristic of the Green Belt. Although well set back from the street, the house is clearly visible, and the proposal would add to its bulk and height. This would reduce openness, although only to a limited extent. Although not shown on the plans, the appellant has mentioned that, as part of the scheme, they would demolish the rear outbuilding and garage. This would help to offset any loss of openness.

Character and appearance

10. Composite cladding is proposed to be used on the side and rear elevations, but this would not match the other materials used on the building and is not a commonly used material in this area. However, the appeal property and surrounding houses incorporate a variety of materials. The character of the area is defined more by the landscape; the setting of the houses and the significant variation in styles, rather than by any predominant design or material.

11. The house is set well back from the road behind a long front garden and is sited close to its neighbours on either side. This limits the extent to which the side and rear elevations can be seen to a significant degree. The neighbouring property to the south is also a bungalow, and the effect of the proposal would be to raise the level of the side gable of the appeal property above that of its neighbour. However, the increase in the ridge height would be modest and the extent to which the side gable could be seen would still be limited.

12. Taking these factors into account, I conclude that the scheme, including the proposed materials, would not cause harm to the character and appearance of the area. Consequently, there would be no conflict with Core Strategy Policy DC1 and the Design Guide, which require that development should incorporate materials appropriate to the character of the area.

Other considerations

13. The appellants suggest that under permitted development rights, a single storey rear extension could be constructed with a volume slightly higher than that now proposed. The Council dispute the volume which could be added and suggest a lower figure. In any event, the current proposal involves raising the ridge height to enable habitable space to be created at first floor level. This could not be achieved under permitted development rights and so any scheme which used the rights would have to be significantly different. As such, the suggested fall-back position does not represent a realistic alternative.

14. The appellant has directed me to the extensions permitted at neighbouring Hillcrest. Although there are similarities between the two schemes, they are not the same. From the information provided it appears that the extensions at Hillcrest involved a lesser volumetric increase than the current proposal. In any event, I have assessed the proposal before me on its merits and the development at Hillcrest does not provide justification for the appeal proposal.

Conclusion

15. The proposed development would be inappropriate development which would, by definition, cause harm to the Green Belt. The Framework establishes that substantial weight should be given to such harm. In addition, there would be a minimal loss of openness.

16. The proposed scheme, including the materials, would not cause harm to the character and appearance of the area, but this is a neutral factor in the planning balance. I give limited weight to the potential for permitted development rights to be exercised and to the previously approved extension at neighbouring Hillcrest.

17. These other considerations do not clearly outweigh the harm to the Green Belt caused by inappropriateness. Consequently, very special circumstances do not exist to justify the development.

18. I conclude, therefore, that the appeal should be dismissed.

R Morgan

INSPECTOR