The Planning Inspectorate

Appeal Decision

Site visit made on 23 February 2020

by Rachel Walmsley BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 May 2020

Appeal Ref: APP/B3438/D/20/3246086
69 Cellarhead Road, Cellarhead ST9 0HW

- 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 Bailey against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0625, dated 9 October 2019, was refused by notice dated 4 December 2019.
- The development proposed is extension to the front bedroom to facilitate both an en-suite and level access requirements to allow full access to the property for the applicant.

Decision

1. The appeal is allowed and planning permission is granted for extension to the front bedroom to facilitate both an en-suite and level access requirements to allow full access to the property for the applicant at 69 Cellarhead Road, Cellarhead ST9 0HW in accordance with the terms of the application, Ref SMD/2019/0625, dated 9 October 2019, 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: Site Plans, Drawing No A101; Proposed Elevations, Drawing No A104; and Floor Plans, Drawing No A102, and;

    3) no development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. These are (1) whether the development proposed would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and (2) the effect on the character and appearance of the area.

Reasons

Inappropriate development

3. The appeal property lies within the Green Belt. National policy on development in the Green Belt is set out in the Framework, which advises that the essential characteristics of Green Belts are their openness and permanence. There is a general presumption against inappropriate development in the Green Belt unless very special circumstances exist. Most new development should be regarded as inappropriate, but for certain defined exceptions.

4. Paragraph 145 of the Framework lists exceptions to inappropriate development within the Green Belt and in doing so states that any extension to a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' within the Framework. Annex 2 of the Framework defines an "original building" as a building as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally.

5. The Council's approach to extensions to dwellings in the Green Belt is set out in policy SS6c of the Core Strategy[1] which references the exceptions as defined by Government policy.

6. The appeal property has been extended previously. According to the Council the existing extensions have increased the footprint of the original dwelling by some 70%. Therefore, the Council considers that the extension proposed would add to the development that is already over and above the floorspace of the original dwelling. On the face of it the appeal proposal could be considered to represent a disproportionate addition to the original building. That said, in practical terms the development proposed would be modest in form and scale compared with the host dwelling.

7. The appeal property is within a line of built development. Neighbouring the appeal site is a newly constructed dwelling with a forward projection. The site and its immediate surroundings, therefore, do not have the characteristics of open countryside or undeveloped Green Belt land.

8. Considering the above, the extension would sit comfortably within its surroundings, appearing modest in form and scale in relation to the host dwelling and the development around the appeal site. As such, the proposal would not be harmful to Green Belt openness or character or appear disproportionate.

9. All in all, and notwithstanding the increase in footprint which would ensue, the extension would not be disproportionate and as a result would not constitute inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies.

Character and appearance

10. As identified above, the proposal would not appear overly dominant or incongruous in the street scene. Nor would the extension significantly alter the bulk or form of the bungalow as seen from any public viewpoints.

[1] Staffordshire Moorlands Local Development Framework, A Local Plan for the future of Staffordshire Moorlands, Core Strategy Development Plan Document, Adopted Version 26 March 2014.

11. The appeal dwelling has a form and scale that is commensurate with its adjoining neighbour, although the adjoining property has a side extension which upsets slightly the symmetry of the semi-detached houses. The development proposed would not increase the scale and mass of the property considerably. Furthermore, given the unbalanced appearance of the semis, the development would not harm the integrity of the existing property as a semi-detached house.

12. The development, therefore, would not have a material impact on the character and appearance of the area due to its acceptable form and scale. As such, it would be compliant with policy DC1 of the Core Strategy which seeks development that respects the site and its surroundings.

Other matters

13. The issues of the 'fallback' position, based on permitted development rights, and the personal circumstances of the appellants are not matters which are decisive because I have found no harm in relation to the main issues.

Conditions

14. In allowing the appeal and granting planning permission I will impose a condition referring to the standard time limitation for commencement, and a condition requiring compliance with the submitted plans for certainty. A condition ensuring matching materials is also necessary in the interests of the appearance of the property and its surroundings.

Conclusion

15. For the above reasons, and having due regard to all other matters raised, the proposal is not contrary to the development plan and the Framework and therefore the appeal is allowed.

R Walmsley

INSPECTOR