The Planning Inspectorate

Appeal Decision

Site visit made on 8 February 2021

by Alison Partington BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2021

Appeal Ref: APP/B3438/D/20/3263715
Milngarran Cottage, Whitehurst Lane, Dilhorne ST10 2PG

- 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 Glyn Parker against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2020/0451, dated 18 August 2020, was refused by notice dated 13 November 2020.
- The development proposed is described as "a first floor extension above previous ground floor extension, to include extra bedroom and en suite bathroom for existing bedroom. Also to alter the flat roof on existing dormer to a more sympathetic pitched roof to match proposed developments".

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:

   - Whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (the Framework);
   - The effect of the proposal on the openness of the Green Belt; and
   - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it

Reasons

Whether inappropriate development

3. The appeal site is located in the Green Belt. Policy SS10 of the *Staffordshire Moorlands Local Plan (adopted September 2020)* (LP) indicates that strict control will be exercised over inappropriate development in the Green Belt only allowing development as set out in the Framework.

4. Paragraphs 145 and 146 of the Framework set out the forms of development that are not inappropriate within the Green Belt. These include 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.

5. What constitutes a disproportionate addition is not defined in either the LP or the Framework. The Council have indicated that previous guidance considered

that up to a 30% increase in size was acceptable. However, I have no information on the status of this guidance and whether or not it formed part of a statutorily adopted document and so only give little weight to this figure.

6. The dwelling has previously been extended on two occasions. The first was by way of a single storey extension across the full width of the rear elevation and the other was a two storey side extension. The Council have indicated that these two previous extensions represented a 96% increase in the floorspace of the original dwelling. They have indicated that an extension of this size was allowed to enable an acceptable level of accommodation to be provided on what was originally a very small dwelling with no inside bathroom.

7. The proposed extension would create a fourth bedroom and an en-suite to the master bedroom. Together with the previous extensions the Council have calculated that this would represent a 115% increase in floorspace. This figure has not been disputed by the appellant. In my mind such an increase in floorspace can only be considered to be a disproportionate addition.

8. In the light of the above, I conclude that the proposal would be inappropriate development, which according to paragraph 143 of the Framework is, by definition, harmful to the Green Belt.

Openness

9. Openness is an essential characteristic of the Green Belt. It can be taken as the absence of buildings and development. The proposal would not increase the footprint of the building, but the mass and bulk of the property would still be increased slightly by additional built development, and so the openness of the Green Belt would be reduced. Although in isolation the loss would be minimal, nonetheless, there is a degree of harm arising from this, in addition to that arising from the inappropriate nature of the development.

Other Considerations

10. It is not disputed that the original cottage was very small and that some of the previous extensions were necessary to make the dwelling habitable accommodation. This enabled extensions to the house previously over and above what the Council would normally have considered acceptable. However, the house is now a 3 bedroom dwelling, and although some rooms may not be overly large, it has all the necessary requirements for habitable accommodation. As such, neither the small size of the original dwelling, nor the fact that some of the previous extensions were necessary rather than desirable, provide a reason for further extensions to the house.

11. I note the personal circumstances of the appellant regarding both the need for home office space and the desire to be able to foster children. However, if the room is to be used as an office, it would not provide the additional bedroom space needed to foster a child. Moreover, given the size of the plot and the various outbuildings in it, I am not persuaded this represents the only way a home office can be provided. In any event personal circumstances will seldom outweigh more general planning considerations, and it is likely that the extension would remain long after the current personal circumstances cease to be material.

12. The addition of a pitch roof on the existing flat roof dormer would improve its appearance and the creation of another dormer on the other side of the

proposed extension would give a more balanced appearance. However, the overall development would give the rear roof plane a cluttered appearance that was not overly sympathetic to the character of a rural cottage.

13. I note there are no objections to the proposal from the neighbours and the high boundary hedge would prevent any overlooking. However, an absence of harm in this regard is a neutral factor. The appellant has suggested the property is smaller than others in the area. Be that as it may, the test in the Framework is whether a proposal represents a disproportionate addition over and above the original dwelling and not in comparison to other houses in the area.

Conclusion

14. The proposed development would be inappropriate development in the Green Belt, which is harmful by definition. It would also cause harm to the openness of the Green Belt. In accordance with paragraph 144 of the Framework, I attach substantial weight to the harm to the Green Belt. Despite having regard to all the other considerations put before me, I consider that taken together, the factors cited in its favour do not clearly outweigh the harm the scheme would cause. Consequently, the very special circumstances necessary to justify the development do not exist. As a result, the proposal would be contrary to Policy SS10 of the LP and the Framework. Therefore, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR