

Appeal Decision

Site visit made on 19 April 2017

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 May 2017

Appeal Ref: APP/R1845/D/17/3167747

The Retreat, Lowe Lane, Wolverley, Kidderminster, Worcestershire, DY11 5QP

- 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 Christopher Page against the decision of Wyre Forest District Council.
 - The application Ref 16/0569/FULL was refused by notice dated 28 November 2016.
 - The development proposed is the extension of existing building to provide bathroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are:
 - Whether the appeal development would be inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and Development Plan Policy.
 - Its effect on the openness of the Green Belt and on the character and appearance of the area.
 - If found to be inappropriate development, 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 the development.

Reasons

Background

3. The appeal building is a small single storey brick and tile building, which is situated in a rural location within the Green Belt. It is accessed off a shared private drive from Lowe Lane. Planning permission for its use as holiday accommodation was granted by the Council in 2008. On 23 May 2016, permission was granted on appeal for a single storey extension to provide a bedroom (ref: APP/R1845/D/16/3148576). This permission has not been implemented. I also note that an appeal to convert and extend the building to a holiday let was refused by the Council and subsequently dismissed at appeal
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on 7 January 2008 (ref: APP/R1845/A/07/2056312). In that decision, the Inspector considered that the proposed extension would be inappropriate development within the Green Belt and harmful to the character and appearance of the original building.

4. The current appeal proposal is to provide a further single storey extension at the rear of the building, which would be added onto the bedroom extension that was recently allowed on appeal (but is not yet implemented). The current proposal would provide a bathroom.

Inappropriate Development

5. The Framework (paragraph 89) and Policy SAL.UP1 of the Wyre Forest District Council Site Allocations and Policies Local Plan 2006-2026 (LP) set out categories of new buildings that are not inappropriate development within the Green Belt. These categories include the extension or alteration of existing buildings/dwellings, provided that the extension does not result in disproportionate additions over and above the size of the original building. Although the extension itself would be relatively small, the evidence before me shows that the proposal (when added to the recently approved extension) would cumulatively increase the floorspace of the original building by more than 100%. In my opinion, this would result in a disproportionate increase. Consequently, the proposal would be inappropriate development within the Green Belt.
6. The Framework advises (paragraph 87) that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I therefore attach substantial weight to the harm arising due to the inappropriate nature of the appeal development (as required by paragraph 88 of the Framework).

Openness/Character and Appearance

7. Paragraph 79 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Openness is not defined in the Framework and I note that the Inspector at the previous appeal concluded that the proposed extension would not erode the openness of the Green Belt, either spatially or visually, because of its size and because it would be largely screened from the road and from neighbouring properties. I do not fully agree with that conclusion because the proposal would result in new built development where none exists at present. However, I find that the effect of the current appeal proposal on the openness of the Green Belt (both spatially and visually) would be slight, for the same reasons as stated by the previous Inspector. Nevertheless, this effect adds to the harm already caused by reason of its inappropriateness, albeit to a limited extent.
8. The current appeal proposal would reflect the character of the existing building in terms of its design and materials. However, the proposed extension would (when taken together with the previously approved extension) visually dominate and overwhelm the original building because of its size and scale. In my opinion, this would be detrimental to the character and appearance of the

property. Accordingly, the proposal would conflict with Policy SAL.UP8 of the LP because the extension(s) would not be visually subservient.

Other Considerations

9. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
10. I have concluded that the appeal development is inappropriate development. Therefore, by definition, it would be harmful to the Green Belt. Paragraph 88 of the Framework states that substantial weight should be given to any harm to the Green Belt. I have also concluded that the harm to the openness of the Green Belt would be slight.
11. The appellant states that the extension is required in order to provide a bathroom within the building and that this was unintentionally omitted from the proposal that was allowed at appeal. Having inspected the inside of the building, I agree that existing facilities are somewhat limited. However, in my view, the recently approved extension presents an opportunity to reconsider the number, arrangement and size of rooms within the building. Therefore, I am not persuaded that suitable facilities cannot be provided without the need for further development in this Green Belt location. The appellant also refers to the relatively modest size of the extension and to its effect on character and appearance and openness. I have already dealt with these matters above.
12. Accordingly, these other considerations put forward by the appellant do not, either separately or cumulatively, clearly outweigh the harm by reason of inappropriateness and the other harm identified. As a result, the very special circumstances that are required to permit the development do not exist. The appeal development would, therefore, conflict with the provisions of the Development Plan and with the Framework, as referred to above.
13. I have come to this conclusion based on the individual merits of the current appeal scheme. I have, nonetheless, also been mindful of the need for consistency between Inspectors and, accordingly, I have taken into consideration other relevant appeal decisions for development at the appeal site referred to in the evidence. Having done so, I find that my conclusions, in the circumstances of this case, are not inconsistent with those other decisions.

Conclusion

14. In summary, the appeal proposal would be inappropriate development with regard to the terms set out in the Framework and it would lead to a small loss of openness to the Green Belt. These issues are not outweighed by the considerations advanced by the appellant and given in the wider evidence so as to amount to very special circumstances. Therefore, for all of the reasons given above I conclude that the appeal should be dismissed.

Ian McHugh INSPECTOR