

Appeal Decision

Site visit made on 9 June 2017

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

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

Decision date: 04 July 2017

Appeal Reference: APP/J3720/D/17/3173309

'Cedarwood', Smiths Lane, Snitterfield CV37 0JY

- 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 P Marks against the decision of Stratford-on-Avon District Council.
 - The application (reference 16/04048/FUL, dated 15 December 2016) was refused by notice dated 17 March 2017.
 - The development proposed is described in the application form as "demolition of existing garden store and domestic workshop, erection of new garden store, domestic workshop and summerhouse".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is whether the proposal is "inappropriate development" in terms of Green Belt policies. If so, it is necessary to consider whether the harm by reason of inappropriateness, and any other harm would be clearly outweighed by other considerations; if not, it is nonetheless necessary to consider the impact of the proposed development on the surroundings.

Reasons

3. Snitterfield is a substantial settlement, providing some local services, but it is dispersed in character and is located in a rural landscape. The appeal site is located within the core of the village and the area around the crossroads at the junction of Smiths Lane with The Green is closely built up in an irregular pattern. Some buildings stand close to the roadside, while others are set back, and a variety of building styles is to be seen.
4. 'Cedarwood' lies within this more tightly built up area, close to the main crossroads but at the corner of Smiths Lane and Frogmore Road. The house is set at an angle across the corner and is rather modern in character, though it is constructed predominantly of brickwork (with partial cedar boarding) under pitched roofs. The house has previously been substantially extended, in keeping with the original building.

5. A poor quality domestic outbuilding stands in the back garden of the property, adjacent to the rear boundary. It is clad in timber boarding, with a roof of corrugated mineral fibre sheeting, but it serves a useful domestic purpose nonetheless.
6. It is now proposed that this outbuilding should be demolished and replaced with a better quality and more useful building, in a different part of the garden. The proposed new building would be constructed mainly of brickwork, with some cedar cladding and a flat roof.
7. Green Belt policies apply in this case. They are long established and well understood and they impose a presumption against “inappropriate development” unless there are “very special circumstances” which justify it in a particular case. The ‘National Planning Policy Framework’ makes it plain, at paragraph 89, that the construction of new buildings is not normally acceptable in the Green Belt and that they should only be permitted in “very special circumstances”. Nevertheless, the replacement of an existing building in the Green Belt can be acceptable, “provided the new building is in the same use and not materially larger than the one it replaces”.
8. The Development Plan reflects the provisions of the ‘National Planning Policy Framework’ and Policy CS10 of the ‘Stratford-on-Avon District Core Strategy 2011 to 2031’ likewise recognises that the construction of a replacement building may be acceptable in the Green Belt.
9. The ‘National Planning Policy Framework’ also emphasises the aim of “requiring good design” in the broadest sense (notably at Section 7) and it points out the importance of creating an attractive streetscape and maintaining the overall quality of the area.
10. Again, the Development Plan reflects the ‘National Planning Policy Framework’, in emphasising the importance of good design, notably in Policies CS1 and CS9 of the ‘Core Strategy’.
11. The Council’s ‘Planning Advice Note’, entitled ‘Extending your home ; A planning guide for householders’ and their supplementary planning guidance, entitled ‘Stratford-on-Avon District Design Guide’ are also relevant, though they do not have the same force as Policies in the Development Plan.
12. The proposed new outbuilding would be significantly larger than the existing outbuilding that would be replaced, adding to the floor area and being higher at the eaves. It does not, therefore fall within the category of development that is “not inappropriate” in the Green Belt. The proposed new outbuilding would be a useful addition to the accommodation at ‘Cedarwood’ but there are no “very special circumstances”, in the context of Green Belt policies, that are put forward to outweigh the harm by reason of “inappropriateness” that arises from the conflict with Green Belt policy.
13. Notwithstanding the impact of Green Belt policies, the proposal to construct a modest outbuilding close to the highway boundary in Frogmore Road does not give rise to an objection in principle in terms of broader design considerations. Nevertheless, it would need to be shown that a new building could be visually integrated into its surroundings. In this case, the proposed brick outbuilding would be unduly bulky and intrusive in the streetscene and it would cause

some visual harm to the surroundings. Thus it would also conflict with policies that are focussed on design considerations more generally.

14. The practical benefits of the proposed new outbuilding weigh in favour of the appeal. Nevertheless, I am convinced that the objections which I have identified outweigh the benefits of the project; that the harm by reason of "inappropriateness" and the impact on the streetscene is not clearly outweighed by other considerations. Hence, I have concluded that the scheme before me ought not to be allowed and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR