



Appeal Decision

Site visit made on 24 June 2019 by Hilary Senior BA(Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

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

Decision date: 12 July 2019

Appeal Ref: APP/C4235/D/19/3228464

Shiloh Hall, Shiloh Road, Mellor, Stockport SK6 5NE

- 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 and Mrs A Garden against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/072728, dated 7 March 2019, was refused by notice dated 1 May 2019.
 - The development proposed is extension to Detached Garage/Outbuilding (Revised Application)
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - if inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal in the Green Belt.

Reasons for the Recommendation

Whether the development would be inappropriate development

4. The appeal site, which lies in the Greater Manchester Green Belt, comprises part of an original dwelling which was split into two following the granting of planning permission in 2004. The appeal relates to a two-storey outbuilding, used as a garage with storage/recreation area above, some distance away from the house, set in a generously sized garden. The proposal seeks to extend this outbuilding by way of a single storey extension.

5. Policy GBA 1.2, Control of Development in Green Belt, of the Stockport Unitary Development Plan Review 2006 seeks to protect the Green Belt by only allowing limited extension, alteration or replacement of existing dwellings. Policy GBA 1.5, Residential Development in Green Belt, allows proposals relating to existing residential uses where the scale, character and appearance of the property are not significantly changed. The accompanying text explains that as a general guideline, extensions which increase the volume of the original dwelling by more than about one third are unlikely to be acceptable. These policies are not entirely consistent with the more recently published Framework, which consequently carries greater weight in my consideration of the appeal.
6. The Framework establishes that new buildings in the Green Belt are inappropriate, except in certain circumstances including where they involve an extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building as set out in paragraph 145c.
7. There is a question in this case as to what constitutes the 'original building' for the purposes of paragraph 145c. Although its purpose is ancillary to that of the main house, the outbuilding has been built in a discrete, well screened area of the garden and is clearly physically separate from it. The area is well away from the dwelling and the intervening space is garden space which also creates the visual setting for the unlisted but nevertheless, interesting building. Given this context and circumstances, the outbuilding is the 'original building' against which the test in paragraph 145c must be applied.
8. The Framework does not explain what a disproportionate addition means. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning judgement. The appellant calculates that the proposal will increase the volume of the garage by 135 cubic metres whereas the Council calculates the increase to be 141 cubic metres. Notwithstanding this disagreement between the parties it is clear that the proposal would represent a sizeable increase in volume.
9. There are other approaches to the matter. From the submitted plans, it appears that the footprint of the proposed extension would be similar in terms of its footprint to that of the existing building. In addition, the massing of the extension, which the Council calculate to be some 7m long, is substantial in comparison to the existing outbuilding, such that it would not appear to be a subordinate addition.
10. Consequently, whilst I acknowledge that the development has been reduced in size from the originally proposed scheme, the proposed extension would constitute a disproportionate addition to the building and is therefore inappropriate development within the Green Belt.
11. I have taken into consideration the appellant's view that Shiloh Hall is the 'original building' for the purposes of the Framework. However, there is no information before me about the size or footprint of that building and no evidence to support the submitted figure relating to the volume of that dwelling. I cannot therefore be certain that the suggested increase in volume of 34%, which I note is disputed by the Council, is accurate. Moreover, the figure of 34%, which is slightly over a third, exceeds the rule

of thumb set out above, relies on the demolition of a garden shed to reduce the total volume of the structures on the site. There is no mechanism before me by which such demolition could be ensured, and it seems to me a condition requiring its removal would be unreasonable. As such I am unconvinced that even if the dwelling were the 'original building' the proposal would not be a disproportionate extension.

12. As such, the proposal would not constitute one of the exceptions set out in paragraph 145 and is therefore inappropriate development. Paragraph 143 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

The effect on the openness of the Green Belt

13. Openness is an essential characteristic of the Green Belt. In that the bulk of the building would be increased by additional built development, the proposal would reduce the openness of the Green Belt in spatial terms. However, in visual terms, as there is already a building in place on the site and given the significant level of screening by well-established trees, and the extent of the Green Belt as a whole, the harm to openness would be limited.

Other considerations

14. The appellant has expressed the view that the proposal is a minor addition designed to be in keeping with the local vernacular. The Council has raised no objection to the proposal on the basis of its impact on the character and appearance of the building or wider area and given that the design and materials are in keeping with the existing buildings I have no reason to disagree. This is a neutral matter rather than one which carries weight in favour of the scheme.
15. My attention has been drawn to the family need for the extension due to the increased ownership of vehicles despite the fact that a double garage already exists. The matter carries limited weight in support of the proposal. I acknowledge that parked vehicles within the garden area will also have an impact on the visual openness of the Green Belt. However, vehicles are not permanent fixtures. Consequently, they do not have a comparable impact on the openness of Green Belt as a permanent structure would. Consequently, this matter also carries limited weight.
16. It is the case that, in principle, dwellings in the Green Belt could be extended or added to as a result of permitted development rights or with a planning permission. In this instance, however, permitted development rights were withdrawn by condition when the original dwelling was converted to two properties¹. The reason for the removal of permitted development rights was in the interests of the amenities of future occupants and the visual and rural amenities of the area. The granting of that permission predates both the current development plan and the Framework and did not therefore have the same policy background. Nevertheless, it is clear that even at that time the openness of the area was a factor in the decision. Notwithstanding that, it is a fact that Shiloh Hall cannot be extended unless planning permission has been sought and granted. There is

¹ Application number DC015346 Subdivision of existing dwelling to form two no dwellings

no current planning permission in place and I am not aware that any plans for an extension to the house have been drawn up for consideration. Given the sensitivity of the front elevation in architectural terms, I am unconvinced that there is a reasonable prospect that permission would be granted for such a development. Consequently, no fallback position exists.

Conclusion and Recommendation

17. The proposal would be inappropriate development in the Green Belt and would also lead to a loss of openness. The harm to the Green Belt from these issues, as set out in the Framework, attracts substantial weight.
18. The appellant's need for the development and the impact of parked cars on the openness are considerations that each carry limited weight in favour of the proposal. They do not therefore clearly outweigh the totality of the harm the scheme would cause, which is the test they have to meet. Therefore, very special circumstances have not been demonstrated. For the reasons given, and having regard to all other matters raised, it is recommended that the appeal should be dismissed.

Hilary Senior

APPEALS PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR