
Appeal Decision

Site visit made on 1 July 2019 by Amanda Sutton BA Hons DipTP DMS MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2018

Appeal Ref: APP/R1845/D/19/3228442

Narok, Birds Barn Lane, Wolverly, DY11 5SG

- 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 Matthew Nock against the decision of Wyre Forest District Council.
 - The application Ref 19/0132/FULL, dated 27 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is described as 'Alterations to dormers to form gables, new dormer, formation of carport, rear balcony, canopy, enlarge existing window openings to form doors, replacing concrete tiles with clay tiles'.
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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.

Procedural Matters

3. The original description of development as detailed above was revised during the course of the application. The Council's decision notice refers to the development as 'proposed carport and rear balcony' and the appellant has described the proposed development as this in his appeal form. I have considered the proposal accordingly.

Main Issues

4. The appeal site is located within the West Midlands Green Belt. Accordingly the main issues in this case are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect of the proposal on the openness and purpose of the Green Belt; and
 - if the proposal is inappropriate, 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

Whether Inappropriate Development

5. Policy SAL.UP1 of the Wyre Forest Site Allocations & Policies Local Plan 2013 (Local Plan 2013) seeks to prevent inappropriate development in the Green Belt, unless very special circumstances prevail. This generally accords with the National Planning Policy Framework 2019 (Framework).
6. The Framework states that the construction of new buildings is inappropriate in the Green Belt, with limited exceptions. Paragraph 145 (c) of the Framework states that extensions or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building is not inappropriate development.
7. The Framework makes it clear in its Glossary that 'Original building' is a building as it existed on 1 July 1948, or if constructed after 1 July 1948, as it was built originally. It is clear from the planning history of the property that it has been substantially extended in the past. In 1975 planning permission was granted for a first floor to the existing bungalow, and in 1995 planning permission was granted for an attached garage.
8. Although the proposed extensions are modest in themselves, taken with the extensions that have already been undertaken to the property, would result in an 'original building' that has been engulfed by extensions. Therefore, the proposal would amount to a disproportionate addition over and above the size of the original building. As such it would result in inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

9. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Paragraph 144 of the Framework requires substantial weight be given to any harm to the openness of the Green Belt.
10. The proposed balcony would be situated on the first floor, at the rear of the appeal property, essentially infilling an area between the existing garage and dwelling house. It would not protrude beyond the existing building line of the garage and dwelling house or result in a change to the existing roof line, therefore, the appearance from the side elevations of the dwelling house would not alter. It would not result in a loss of openness to the Green Belt.
11. However, the new car port, as a result of the increase in height proposed to this part of the dwelling would reduce openness both spatially and visually. Whilst such a reduction would be limited and localised, harm to the Green Belt would be caused. The screening afforded by existing vegetation would not mitigate this harm.

Other Considerations

12. The Framework makes it clear at paragraph 144 that substantial weight is given to any harm to the Green Belt. It establishes that 'very special circumstances' will not exist unless potential harm to the Green Belt by reason

of the inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

13. It is noted the proposed carport is designed to protect the appellant's vehicles, however, the appeal property benefits from a garage which could address this issue. The proposed replacement of roof tiles, and removal of the existing gable may improve the appearance of the garage roof but this does not outweigh the harm to the Green Belt outlined above.
14. It is submitted that the appellant is seeking to refurbish the appeal property to create a 'modern, efficient family home', however, the potential to do this would not be impeded by this decision.
15. The appellant highlights that the appeal property could be extended under permitted development rights, which would allow development potentially more harmful than that proposed. However, I do not have any details before me to allow comparison with this proposal and therefore, this limits the weight I can attach to this matter.
16. I observed, on the site visit, that a neighbouring property benefits from a similar type of development as this proposal, however, I have judged this case on its individual merits. Similar development elsewhere does not justify harmful development.

Conclusion and Recommendation

17. The new extension would be inappropriate development in the Green Belt and further harm to the Green Belt would be caused as a result of loss of openness. I have given these matters substantial weight. I have considered all other relevant considerations before me, to which I give limited weight, and conclude that taken together they do not outweigh the harm the proposed development would cause to the Green Belt. Consequently the very special circumstances necessary to justify this development do not exist. The proposal is contrary to the Green Belt aims of Policy SAL.UP1 of the Local Plan 2013 and the Framework.
18. For the reasons outlined above, it is recommended that this appeal should be dismissed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and concur that the appeal should be dismissed.

R C Kirby

INSPECTOR