
Appeal Decision

Site visit made on 15 July 2019

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State.

Decision date: 19th July 2019

Appeal Ref: APP/B3438/D/19/3229910

Troughstones Farm, Troughstones Road, Biddulph Common ST8 7SL

- 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 Paul Beardmore against the decision of Staffordshire Moorlands District Council.
 - The application Ref. SMD/2018/0746, dated 25 November 2018, was refused by notice dated 15 March 2019.
 - The development proposed is a two storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In June 2018, the Council submitted the proposed Staffordshire Moorlands Development Plan Document to the Secretary of State for examination. An examination in public has now been held in order to determine whether the Local Plan is sound and legally and compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted towards the end of 2019. However, as it has not been formally adopted, I afford it limited weight.
3. Since the submission of the appeal, an updated version of the National Planning Policy Framework (February 2019) (the Framework) has been published by the Government. This is a material consideration in planning decisions. In relation to the main issues in this appeal, Government policy has not materially changed and it was not therefore necessary to invite any further comments from the different parties involved.

Main Issues

4. The main issues are (i) whether the proposal would be inappropriate development in the Green Belt, having regard to relevant development plan policies, the Framework and the effect of the proposal on the openness of the Green Belt; (ii) the effect of the development upon the character and appearance of the building and (iii) whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other

considerations so as to amount to very special circumstances required to justify the proposal.

Reasons

Site and proposal

5. The proposed development is for a two storey front extension of about 9 metres long to Troughstones Farm which is located in the Green Belt. It has a substantial curtilage and is surrounded by open land.

Whether inappropriate development

6. Unlike the Framework, the development plan and other policies quoted in the decision notice do not specifically relate to Green Belt policy.
7. The Staffordshire Moorlands Core Strategy Development Plan Document (2014) (CS) policy SS1 expects develop to contribute positively to social, economic and environmental improvement. Policy SS1a relates to the presumption in favour of sustainable development and Policy SS6c supports the diversification and sustainability of rural areas. Policy DC1 of the CS aims to achieve high quality design and policy DC3 is concerned to enhance local landscapes and the settings of settlements.
8. CS policy R1 states that all development in rural areas will be assessed according to the extent to which it enhances the character, appearance and diversity of the countryside, meets community needs and sustains the historic environment. CS policy R2 seeks to restrict housing development within rural areas to a limited number of forms.
9. The 'Design Principles for Development within the Staffordshire Moorlands: new Dwellings and Extensions to Dwellings Supplementary Planning Guidance' (SPG) does not specifically deal with Green Belt policy. Similarly, neither does the Staffordshire Moorland District Council Design Guide (2018) (DG).
10. I have therefore assessed the principle of the proposed development against chapter 13 of the Framework which deals with Green Belt policy: I have not assessed it against chapter 12 which is related to design principles.
11. Paragraph 143 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. However, paragraph 145 lists certain categories of development which form an exception to the general policy of restraint. It states that an extension to an existing building within the Green Belt would not be inappropriate providing that it 'does not result in disproportionate additions over and above the size of the original building'.
12. According to the submitted plans, the original building has been extended previously and to a considerable extent in terms of volume and floor areas. Furthermore, there is an extant approval for a single storey extension on the footprint of what is now proposed for the two storey extension. While I have been given no definition as to the calculation of 'disproportionate additions', I find that the inclusion of the additional and proposed space at first floor level

would go beyond what could reasonably be considered to be proportionate additions.

13. I therefore conclude that the proposed development would constitute inappropriate development in the Green Belt and would be contrary to paragraph 143 of the Framework.

Effect on openness

14. The Framework states that the fundamental aim of Green Belt Policy is to prevent urban sprawl and keep land permanently open. It is an established principal that the openness of the Green Belt has a spatial as well as a visual aspect. While the proposed extension might be screened from public vantage points, the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt. It is implicit in the Framework that disproportionate additions to existing buildings must be harmful to the openness of the Green Belt and I have concluded that the proposed development would constitute a disproportionate addition.

Character and appearance

15. The original building has been extended in the past and there is an extant approval for a single storey front extension on approximately the same footprint as for the proposed two storey development. External materials are to match the existing materials. The proposed two storey extension, by its height in relation to the existing building, would relate better to it than the single storey extension: in the circumstances I do not find that its proposed bulk and size would adversely affect the character and appearance of the dwellinghouse.
16. I conclude that several of the development plan and other policies quoted with reference to Green Belt policy are not relevant with regard to an assessment of the impact of the proposed development on the character and appearance of the building and for the same reasons. This applies to CS policies SS1, SS1a and SS6c.
17. However, I conclude that for the reasons given, there would be no conflict with CS policy R1 which is concerned, amongst other things, with character and appearance, or with CS policy R2 which supports extensions provided that they are appropriate in scale and design and do not have a detrimental impact upon the particular dwellinghouse. There would be no conflict with CS policy DC3 which aims for high quality development which respects the site and its surroundings, or with CS policy DC1 which promotes local distinctiveness by means of good design. I further conclude that there would be no conflict with either the SPG or the DG, and also that the proposed development would accord with the principles of chapter 12 of the Framework which is concerned to secure good design.

Other Considerations

18. The General Permitted Development Order (GPDO) entitles the appellant to carry out a variety of extensions to the side and to the rear of the dwelling which, in floor area, would be similar to the proposed development but which might be spread over a larger footprint and might thus give rise to a more

sprawling built form. I agree with the appellant that a fall-back position is a valid material consideration and I have to consider the weight that I should attribute to it.

19. The appellant's Statement indicates that he is serious about this as an alternative means of securing additional space. It is not unusual for such claims to be made to add weight to a potential fall-back position and I have to consider whether this is a realistic possibility or merely a statement of what could be achieved in theory. I have no lawful development certificate before me for any such alternative extensions, nor do I have any detailed plans or any Building Regulation approvals. I therefore consider this to be a theoretical exercise to which I should afford little weight.
20. Furthermore, should the appeal be allowed, such permitted development might still be available prior to the implementation of the appeal proposal: in such circumstances, the proposed extensions to the building might become even more disproportionate.
21. Extra space is required for the appellant's family but that is likely to be the case for many such developments in the Green Belt. I have no evidence before me with regard to any specific personal circumstances to support any such need and therefore this can only be given very limited weight.
22. The two storey extension would result in the removal of what the appellant describes as non-conforming features, and in particular, to the mono-pitched dormer window to the front elevation which the appellant considers to be alien to the appeal property. The appellant considers that it would be replaced by a form of development where its scale, dimensions and proportions, encompassing an elongated, narrow form and matching roof pitch, scale and palette of materials, better reflects the main character of the building. However, it would be possible to amend and alter such features without the proposed two storey extension and I can only give this matter very limited weight.
23. Furthermore, I can only give slight weight to the fact that there is an extant permission for a single storey extension on approximately the same footprint as for that of the proposed development. The extant permission and the proposed development are obviously not the same thing.

Planning Balance

24. The Government attaches great importance to Green Belts, and the Framework in Paragraph 144 requires that, when considering planning decisions, substantial weight must be given to any harm. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm are clearly outweighed by other considerations.
25. In this case, I have concluded that the overall size increase would result in inappropriate development in the Green Belt and, by implication, to its openness. Consistent with paragraph 144 of the Framework I attach substantial weight to this harm.

26. I have concluded that the proposed design would not have a significant and adverse impact on the character and appearance of the building itself.
27. However, the Framework makes it very clear that the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, needs to be clearly outweighed in order to amount to the very special circumstances necessary to justify it. I have given limited weight to the fall- back position afforded by permitted development rights, limited weight to the needs of the appellant for extra space and also to design changes to the existing dwelling which would result from the proposed development. Furthermore, I have been able to give only slight weight to the existence of the extant approval to the single storey front extension.
28. Such matters are insufficient, whether individually or collectively, to amount to very special circumstances which would outweigh the harm to the Green Belt which I have found.

Conclusion

29. For the reasons outlined above, and taking into account all other matters raised, the appeal is dismissed.

Steven Hartley

INSPECTOR