
Appeal Decision

Site visit made on 6 August 2019

by E Griffin LLB Hons

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

Appeal Ref: APP/R1845/D/19/3229190

27 Stanklyn Lane, Stone, Kidderminster DY10 4HR

- 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 Grindri Randhawa against the decision of Wyre Forest District Council.
 - The application Ref 19/0135/FULL dated 25 February 2019 was refused by notice dated 29 April 2019.
 - The development proposed is two storey side extensions to either side of ground floor. Left side forward extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development within the Green Belt;
 - The effect of the development on openness of the Green Belt and the purposes of including land within it;
 - The effect of the development on the character and appearance of the area and
 - If it is 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

Whether Inappropriate Development in the Green Belt

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is harmful and should not be approved except in very special circumstances. The construction of new buildings, which would include extensions, should be regarded as inappropriate in the Green Belt subject to a number of exceptions set out in Paragraph 145 of the Framework. One of the exceptions cited is the extension or alteration of a building provided that it does not result in

disproportionate additions over and above the size of the original building. In accordance with the glossary to the Framework, the reference to "original building" means the building as existing on 1 July 1948 or if it was constructed after that date as it was built originally. Any later extensions would therefore need to be considered as part of the increase in assessing proportionality.

4. The Framework advises that due weight should be attached to relevant policies according to their consistency with the Framework. As Policy SAL.UP1 of the Wyre Forest Core Strategy (2006-2026) Adopted December 2010 (the Core Strategy) adopts much the same wording as the Framework in applying the test of proportionality, it can be attached substantial weight.
5. The appeal dwelling is a detached two storey house located at the end of a row of four dwellings on Stanklyn Lane with open countryside to the rear and east with No 25 Stanklyn Lane to the west. The existing dwelling has a conservatory on what is described as the left side and a single lean to extension and porch to the rear. It is set in a large plot and the setting is enhanced by the proximity to open countryside. An appeal decision¹ with regard to the same dwelling but for a different larger proposal was issued on the 6 February 2019 and was dismissed.
6. The appeal proposal would consist of a side two storey extension along the left side of the dwelling but with a set back from the front of the dwelling. A smaller rear two storey extension is also proposed at the other side of the dwelling. The rear of the existing dwelling would be considerably wider with extensions on both sides.
7. The Council states that the appeal proposal would result in a percentage increase in volume of around 94%. In the Design and Access Statement, the appellant refers to an increase of around 80% in terms of volume. He also refers to an increase in footprint of around 60%. However, it is not clear if either of the appellant's figures take into account previously permitted extensions. His footprint calculations refer to the existing dwelling as the starting point rather than the "original building" as per the Framework and the Design and Access statement refers to the existing original house.
8. The appellant states that the previous Inspector referred to the Framework and the Council's policies as not quantifying what constitutes inappropriate additions. However, the previous Inspector went on to say "but it is clear that it is the accumulation of additions to the original building which is important rather than individual ones".
9. Even if I were to accept the appellant's figure of around an 80% increase in volume, considered together with the overall increase in bulk, the proposal would still be significant and disproportionate. For these reasons, therefore the appeal proposal would be inappropriate development in the Green Belt.

Openness

10. The Framework makes clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The openness of the Green Belt is clearly evident both within the spacious plot itself and around the appeal site particularly with open fields to the rear and to the east. The appellant considers that the right hand side of

¹ APP/R1845/D/18/3217339

the dwelling will remain as existing and therefore retain openness. However, the proposed plans clearly show that due to its position, the rear extension will add volume at the right side of the existing dwelling as well as extending the rear. The combination of both extensions would add bulk and width to the dwelling and result in harm to the openness in the Green Belt and would not assist in safeguarding the countryside from encroachment.

Character and appearance

11. Policy SAL.UP8 of the Core Strategy states that extensions should be in scale and keeping with the form, architectural characteristics and details of the original building and extensions should also be subservient to the original building. The Council accepts that the roof height of the appeal proposal would be appropriate to the existing dwelling. However, the proposed side extension would have an elongated roof pitch on one side. The proposed rear elevation roof would also not harmonise with the existing dwelling for similar reasons. The angles of the existing roof pitches are largely symmetrical. The elongated effect which impacts upon the massing and form of the appeal proposal would also not be in keeping with the detailing of the original building.
12. I therefore do find that the appeal proposal would harm the character and appearance of the area. It would therefore be contrary to Policy SAL.UP8 of the Core Strategy which, amongst other things, refer to extensions being in scale and in keeping with the form and architectural characteristics of the original building. It would also be contrary to Policy SAL.UP7 of the Core Strategy which, amongst other things, states that development should be of the highest design quality.

Other Considerations

13. The appellant maintains that the Parish Council did not fully consider the appeal proposal and has questioned the lack of official records of meetings. Whilst the procedural workings of the Parish Council are matters that are outside my remit, its views are not in themselves conclusive in determining this appeal.
14. The appellant has referred to a development of new dwellings at Weavers Close of being an example of planning permission granted in the Green Belt. Whilst, I have limited information about the circumstances, each application has to be assessed on its own merits.

Conclusion

15. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There would be loss of openness and substantial weight should be given to any harm to the Green Belt. I have also found harm to the character and appearance of the area. There are no other considerations to outweigh the totality of the harm. Consequently, very special circumstances do not exist and as such the proposal would also conflict with Policy SAL.UP1 of the Core Strategy. For the reasons given, the appeal is dismissed.

E Griffin

INSPECTOR