



Appeal Decision

Site visit made on 13 November 2019

by **D Child BA BPL MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 February 2020

Appeal Ref: APP/J4423/W/19/3232287

Broom Cottage, New Mill Bank, Bolsterstone, Sheffield S36 3ZG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Karl French against Sheffield City Council.
 - The application Ref 18/03982/FUL, is dated 22 October 2018.
 - The development proposed is to 'demolish the existing adjoining garage and replace with a new single-story kitchen extension with pitched roof. Triple story extension to rear, extending out to same length and height as previous extension and replacing roof with new pitched roof over the whole of the new footprint, roof pitch to be the same as existing'.
-

Decision

1. The appeal is dismissed, and planning permission is refused.

Procedural Matters

2. During the course of the application revised drawings were submitted to the Council, reducing the amount of development. I have considered the appeal on this basis, having regard to the National Planning Policy Framework 2019 (the Framework).
3. The appeal results from the Council's failure to reach a decision on the revised information submitted by the appellant. The Council has provided a statement of case and a putative reason for refusal, which confirm it would have refused planning permission due to harm to the Green Belt. This therefore forms the basis for the main issues to be considered in the appeal.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the development plan and the Framework;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the proposed development constitutes inappropriate development in the Green Belt, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The Framework identifies that the essential characteristics of Green Belts are their openness and their permanence. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this presumption set out in Paragraph 145 of the Framework include 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.
6. Saved Policy GE6 (a) of the Sheffield Unitary Development Plan (the UDP) states that in the Green Belt extensions to existing houses will be permitted, only where the proposed extension would form a minor addition to the original house. Guideline 9 of the Council's 'Designing House Extensions' Supplementary Planning Guidance (the SPG) states, amongst other things, for smaller houses (e.g. cottages, terraces or semidetached properties), a minor addition is defined as up to one third of the cubic content of the original house.
7. The application includes a rear infill extension, and the roof of the cottage would be enlarged over the flat roof of an existing two storey-rear extension. A side garage would be demolished, and a single-storey kitchen diner built in its place. By the appellant's calculation, the proposal would increase the height of the dwelling by 17%. While it would follow the original roof pitch, the new roof would be higher than the existing chimneys which would be retained. The mass of the roof would be significantly increased; the additions would almost double the volume of the original building. As a result, the proposal would significantly exceed the SPG definition of a minor addition.
8. The Council is satisfied that the appeal scheme would not be harmful to the character and appearance of the area, and I see no reason to disagree. However, it does not automatically follow that the application is for minor additions. Even if the demolition of the garage and an existing outbuilding were factored in, and a generous allowance made for their volume, were the proposal to be constructed it would result in disproportionately large additions.
9. I therefore find that the proposal would be inappropriate development in the Green Belt. Accordingly, the proposal would conflict with Saved UDP Policy GE6 (a). It would also be at odds with the guidance contained within the SPG and conflict with Paragraphs 143, 144 and 145 of the Framework.

Openness of the Green Belt

10. The site is not close to any public right of way or neighbours. The kitchen diner, a significant part of the proposed additional volume, would be below indicative ground level and the height of the existing garage. Furthermore, Broom Cottage is set back from the highway, within the steeply sloping hillside, and it is screened by woodland to the rear. Nevertheless, the openness of the Green Belt is apparent in the space around and above the dwelling. The increased height and mass of the roof and overall bulk of the development would be apparent when viewed from New Mill Bank. I therefore find that the scheme would result in a small but harmful loss of openness.

Other considerations

11. It has been put to me that adaptation of the existing dwelling would be less harmful to the Green Belt than proposals to replace it with a dwelling that would be 30% larger. Furthermore, in terms of built heritage, retention of the cottage would be preferable. However, no details of such alternative proposals are before me. In any case, Paragraph 145 d) of the Framework gives an exception for the replacement of a building in the Green Belt, provided, amongst other things, the new building is not materially larger than the one it replaces. I do not therefore attach weight to this argument.
12. The evidence refers to potential permitted development fallback options for alternative extensions which might be implemented. Moreover, that such development would result in a similar volume increase, and thus exceed the SPG guidance. Were the appeal to be dismissed, I acknowledge that it is possible permitted development extensions might take place, and that they might exceed the Council's guidance. However, having regard to the submitted sketch, the potential fallback position would not appear to result in the same massing above first floor level, or result in the ridge height of the dwelling being increased. I therefore give the fallback position limited weight.
13. I acknowledge that the existing garage is dilapidated in appearance and that it would be demolished, and that the flat roof of an existing rear extension would become pitched. These visual improvements attract modest weight.
14. Both main parties refer to nearby developments in the Green Belt which exceed the SPD volume guidance, some of which exceed the height of the respective original dwelling. In some public views these developments can be seen in context with the appeal dwelling, and they represent approximately half of the dwellings in the hamlet. Furthermore, permitted development at these other properties might be possible. However, while there is some dispute between the main parties over the precise relative volume increases involved, even considering the higher of the disputed figures, the proposal is for a greater percentage volume increase. In any case, each proposal must be considered on its own merits with regard to the specific circumstances, which the Council argues were different. I therefore give these other developments little weight and I have determined the application on its planning merits.

Conclusions

15. The proposal would amount to inappropriate development in the Green Belt and result in a small but harmful loss of openness. Substantial weight is attached to the harm to the Green Belt. On the other hand, limited weight is given to the fall-back position, modest weight is attached to the visual improvements, and little weight is given to other developments. The combined weight of these other considerations would not therefore be significant.
16. For the above reasons, other considerations do not clearly outweigh the identified harm. Consequently, I conclude that the very special circumstances required to justify the proposal do not exist. The appeal is therefore dismissed, and planning permission is refused.

D Child

INSPECTOR