
Appeal Decision

Site visit made on 6 July 2020

by **S J Lee BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 July 2020

Appeal Ref: APP/J3720/D/20/3245072

Austy View, Alcester Road, Wootton Wawen, Henley-in-Arden B95 6BQ

- 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 Foster against the decision of Stratford on Avon District Council.
 - The application Ref 19/02731/FUL, dated 24 July 2019, was refused by notice dated 18 December 2019.
 - The development proposed is two storey extension to the side and driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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;
 - 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.

Reasons

Whether inappropriate development

3. The appeal relates to a semi-detached dwelling located within the Green Belt. The dwelling already benefits from a single storey side extension that would be replaced by the development.
4. Paragraph 145 of the Framework establishes that new buildings within the Green Belt should be regarded as inappropriate unless they meet one of a number of exceptions. One of these 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. Policy CS.10 of the Stratford-on-Avon Core Strategy (2016)(CS) also allows for small-scale extensions or alterations of a building. The supporting text to the policy qualifies this through reference to the Framework's exceptions and is thus consistent with national policy.

5. The Framework defines the 'original building' as that which existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Other than the existing extension to Austy View, I have not been provided with any evidence relating to the age of the building or any other alterations that may have taken place after this date. The Council state that this extension, together with other extensions, would result in an overall increase the volume of the original building by 77%. The appellant has not disputed this figure.
6. Neither the Framework or the CS define what is meant by a disproportionate extension or alteration. Nevertheless, without any evidence to the contrary, it would be reasonable to conclude that a development which results in a building three quarters as large again as the original would be 'disproportionate'. The proposal would not therefore meet the exception in either Policy CS.10 or the Framework.
7. The appellant has referred me to paragraph 145(f) of the Framework. However, this paragraph does not apply to extensions or alterations and is thus not relevant to this appeal.
8. Based on the evidence before me, I therefore conclude that the development constitutes inappropriate development in the Green Belt for the purposes of CS Policy CS.10 and the Framework. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. I shall return to this below.

Effect on openness

9. Paragraph 133 of the Framework states that openness is an essential characteristic of the Green Belt. Openness implies a freedom from development. The extension would increase the footprint of the dwelling and its volume, particularly at first floor level. This would include areas where there is currently no form of development.
10. While the visual impact of this would be minimal, the development would nevertheless result in a small degree of harm to the openness of the Green Belt. This would be in addition to the harm that arises from the inappropriate nature of the development.

Other considerations

11. The development would provide additional living space for the occupants, which would clearly be of some benefit to their living conditions. However, there is no clear evidence to suggest the current living conditions are substandard. The submitted plans do not indicate the relative sizes of the two bedrooms. There is therefore no substantive evidence to suggest that they are not fit for purpose. Furthermore, there is nothing to suggest that two bedroom houses cannot form part of a mix of housing to meet the needs of different parts of the population. I have therefore given this only limited weight in my decision.
12. I have noted the appellant's desire to extend the house to better meet their potential future needs as a family, including the potential for accommodating disabled family members. However, personal circumstances such as these rarely outweigh general planning matters because the effect of the development would remain long after the personal circumstances no longer apply. I have therefore given these matters only moderate weight.

13. The appellant has drawn my attention to the two storey side extension on the neighbouring dwelling. I have not been provided with any evidence relating to the circumstances in which this was permitted. As such, I cannot conclude with any certainty on the age of the extension, whether or not the same policies were in place or whether the Council has been inconsistent in its approach. This factor therefore carries limited weight in favour of the proposal.
14. The appellant suggests the development would result in aesthetic improvements to the area. I saw nothing inherently objectionable about the existing appearance of Austy View either individually or in combination with its neighbour. It is clearly the smaller of the two dwellings and there are considerable differences between them in terms of their overall appearance. This results in a somewhat idiosyncratic pairing. However, this part of Alcester Road includes a small number of sporadically located dwellings of different designs and sizes. The loose knit grain of dwellings in the area and the variety of built form ensures that there is no harm to the character or appearance of the area. The development would not result in any harm in itself. Any benefits to the character of the dwelling or that of the wider area would be fairly minimal in nature. I have therefore given only moderate weight to this issue.
15. The appellant has suggested that there is a lack of affordable homes in the village. However, no clear evidence to corroborate this has been submitted. Furthermore, there is no mechanism before which ensures the dwelling would be available or marketed as a formal affordable dwelling. This argument does not therefore add any weight in favour of the development.
16. The Council raised no objections to the development in terms of highways, the living conditions of neighbours or any other planning factor not considered above. I saw nothing that would lead me to a different conclusion. A lack of harm in these respects is neutral and weighs neither for nor against the development.

Conclusion

17. The development would result in inappropriate development in the Green Belt. There would also be a small impact on openness. The development would therefore be harmful to the Green Belt. Paragraph 144 of the Framework makes it clear that substantial weight should be given to any harm to the Green Belt. It establishes that the very special circumstances needed to justify inappropriate development will not exist unless the harm is clearly outweighed by other considerations.
18. As explained above, I have given only limited or moderate weight to the other considerations cited in favour of the development. In my view, these would not clearly outweigh the harm to the Green Belt identified. The very special circumstances necessary to justify the development do not therefore exist. Accordingly, there would be conflict with CS Policy CS.10 and Paragraph 143 of the Framework. For this reason, and having regard to all relevant matters, I conclude the appeal should be dismissed.

S J Lee

INSPECTOR