



Appeal Decision

Site visit made on 27 August 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2020

Appeal Ref: APP/P4415/D/20/3255120

**Hythedale, Far Dalton Lane, Dalton Magna, Rotherham, South Yorkshire
S65 3ST**

- 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 Daniel Jones against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2019/1827, dated 24 October 2019, was refused by notice dated 27 April 2020.
 - The development proposed is a ground floor bedroom and porch extension to existing detached annexe.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and so the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - Whether the proposal creates a self-contained planning unit and if this would cause planning harm; and
 - If the proposal is inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Site and proposal

3. The appeal building is a detached single storey annexe located at the front of Hythedale which is a detached two-storey dwelling. It is located in the small village of Dalton Magna and is sited adjacent to the main road that runs through the village.
4. The building, which has previously been extended, was formerly a garage for Hythedale. The proposal involves further extending the building to create a bedroom and a porch.

Whether or not inappropriate development

5. The National Planning Policy Framework (2019) (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 145. 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'. Policy CS4 of the Rotherham Local Plan – Core Strategy (2014) (CS) and Policy SP4 of the Rotherham Local Plan – Sites and Policies document (2018) (LP) are consistent with the Green Belt aims of the Framework.
6. Policy SP4 and the Council's Supplementary Planning Document (SPD) No. 3 - Development in the Green Belt (2020) outline that extensions which exceed 33% of the volume of the original building would constitute a disproportionate addition and therefore represent inappropriate development.
7. The Council's evidence states that the original building measured approximately 158 cubic metres. A previous extension to the building has added an additional 23 cubic metres, and the proposal would represent the addition of a further 51 cubic metres. When taken together both the existing and proposed extensions would amount to an increase of approximately 47% of the volume of the original building.
8. On this basis, I therefore consider that the proposal would result in additions to the original building that would be disproportionate in the terms of paragraph 145 of the Framework. For these reasons, the proposal would be inappropriate development in the Green Belt. This is a matter to which I afford substantial weight in the planning balance.

Openness

9. The Framework outlines that one of the essential characteristics of Green Belts is their openness. Openness has a spatial aspect as well as a visual aspect. By its very nature of placing built development where there is currently none, it cannot fail but to have a greater impact on the openness of the Green Belt in spatial terms. I find that in light of the overall size and scale of the development, the harm to the openness of the Green Belt from a spatial aspect would be moderate.
10. Due to its size and siting, and the presence of existing landscape features, the proposal would not be readily visible from Far Dalton Lane or any other public vantage points. I therefore find that there would be limited harm to the openness of the Green Belt from a visual point of view.
11. Overall, I consider that the effect on the openness of the Green Belt would be moderate, and I therefore give this harm moderate weight.

Whether self-contained planning unit

12. The existing building contains a kitchen area, a separate bathroom and a combined living/bedroom area. The proposal would keep this arrangement save for the creation of a separate bedroom which would allow for the creation of a separate living/dining area. The access and amenity space arrangements,

which are shared with the main dwelling, would be unchanged as a result of the proposal.

13. Notwithstanding the Green Belt considerations outlined above, the extension would be a relatively small addition to the building. Although it exceeds the 50sqm threshold given in the Council's Household Design Guide SPD (2020) (SPD), this says that this "typically" will be limited to a single storey one bedroom unit not exceeding 50sqm. In this case, I am satisfied that a case has been made that the additional accommodation would be reasonably necessary for the occupants. Consequently, I do not consider that the proposal would therefore conflict with the SPD and, furthermore, owing to the size of the extension and the retention of shared amenities with the main dwelling, the evidence is such that I do not consider that it would result in the creation of an independent dwelling and would remain ancillary.
14. I conclude that there would be no conflict with the Design Guide SPD and no identified other planning harm would be caused as a result of the proposal. In respect of the appearance of the proposed development, it would comply with Policy CS28 of the CS and Policy SP55 of the LP which collectively require that development is of sustainable design and of high quality.

Other considerations

15. The appellant outlines how the extended annexe would be for their mother and father in law, and owing to a medical condition, consider that they would be better suited to a single storey property. They also comment that as a result, they would be close by to care for their grandchildren and they would have family close by should they need healthcare as they get older.
16. I do not doubt that the proposal would be of benefit to the appellant and their family. These are nevertheless personal circumstances. When considered against the view outlined in the Planning Practice Guidance (PPG) that planning is concerned with land use in the public interest, I afford these matters some moderate weight in favour of the proposal.
17. The proposal would be relatively well designed in the context of the host building. Nonetheless, good design is an expected part of the planning process. As such, the lack of harm in this respect is of neutral consequence in the overall planning balance.

Planning Balance and Conclusion

18. The proposal would constitute inappropriate development in the Green Belt. In addition, moderate harm would be caused to the openness of the Green Belt. On balance, I conclude that the substantial weight to be given to Green Belt harm arising from the development is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances. Therefore, the appeal should be dismissed.

A M Nilsson

INSPECTOR