The Planning Inspectorate

Appeal Decision

Site visit made on 15 September 2020

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 October 2020

Appeal Ref: APP/J3720/D/20/3255250
Shepherds Cottage, Chapel Lane, Ullenhall B95 5RT

- 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 David Nash against the decision of Stratford on Avon District Council.
- The application Ref 20/00591/FUL, dated 27 February 2020, was refused by notice dated 23 April 2020.
- The development proposed is described as an 'additional first floor bedroom with ensuite'.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - Whether the development 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 of the development on the openness of the Green Belt;
   - The effect of the development on the character and appearance of the existing dwelling and the surrounding area; and,
   - 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. Shepherds Cottage is a two storey detached dwelling located within the Green Belt. Policy CS.10 of the Stratford-on-Avon District Core Strategy (the Core Strategy) seeks to resist inappropriate development in the Green Belt except in cases where very special circumstances are justified in accordance with the provisions of national policy. The policy states that a small-scale extension or alteration of a building is not inappropriate in principle within the Green Belt.

4. This approach is broadly consistent with the Framework which establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate unless, amongst other things, it involves the extension or alteration of a building. This is provided that it does not result in disproportionate additions over and above the size of the original building. The

Framework defines an 'original building' as that which existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'.

5. I have not been provided with any evidence as to when the appeal building was originally built. However, the planning history for the site reveals that planning permission was granted for extensions and alterations in March 1980 and again in January 2015. Permission was also granted in August 2016 for the removal of some outbuildings and areas of hardstanding and the erection of a domestic garage/storage room and stable, feed store and machinery storage building along with the enlargement of a paddock area.

6. The Council calculate that the proposal, when considered cumulatively with the previous additions and extensions, would amount to a 104% increase in the size of the original dwelling. The appellant does not dispute this and offers no evidence to the contrary. Taken together, these increases would amount to a substantial addition to the property, and one which I find to be disproportionate over and above the size of the original building.

7. Based on the evidence before me, I conclude that the development would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with the Framework and Policy CS.10 of the Core Strategy.

Openness

8. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is an essential characteristic of the Green Belt that has both spatial and visual aspects and implies a freedom from built form.

9. The appeal property is very clearly visible from the adjacent highway along Chapel Lane. Notwithstanding the presence of large neighbouring properties, which have also been extended to some degree, and their associated outbuildings, the openness of the Green Belt is clearly evident around the property and in the wider area.

10. The proposed extension would provide additional first floor accommodation over an existing single storey side extension. This would increase the volume of the property and add to its overall bulk. In doing so, this would result in a harmful loss of openness, albeit this would be limited given the scale of the proposal.

Character and appearance

11. Despite having been extended and altered over time, the appeal property maintains its essential cottage-like appearance with subservient additions that retain its original character and reflect its countryside setting. The surrounding area is characterised by large detached dwellings in generous plots, set back from the road and framed by a patchwork of agricultural fields, providing a spacious feel to the area.

12. Even though the proposed extension would be stepped down from the ridgeline and set back from the main front elevation and entrance canopy, it would be a large, bulky and overly assertive addition to the cottage. As such, it would not be subservient and would harmfully unbalance the property, significantly altering its appearance. Furthermore, the additional bulk at first floor level would erode the spaciousness of the lane and would therefore detract from the character of the surrounding area.

13. The proposed windows would differ slightly to the existing windows at first floor level as they would be narrower in width. However, they would be of a similar style to the existing windows on the ground floor of the current single storey side extension. Accordingly, I do not consider that the proposed windows would be materially different to that of the existing windows and therefore this element of the proposal would not be harmful.

14. Overall, I find the proposal to be harmful to the character and appearance of the existing dwelling and the surrounding area. This is contrary to policies CS.9, CS.20 and AS.10 of the Core Strategy which together seek to ensure high quality design that is of an appropriate and subservient scale in relation to the existing building.

Other considerations

15. The Framework is clear that inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As well as the harm from inappropriateness, I have found the proposal would be harmful to the openness of the Green Belt and would harm the character and appearance of the existing dwelling and the surrounding area.

16. The appellant has drawn my attention to extensions and alterations that have recently been approved at two neighbouring properties, King Thorpe Lodge and Chapel Gate Farm. I have not been provided with the full details of these other developments or the circumstances in which they were found to be acceptable. As such, I am unable to conclude with any certainty that they offer a direct comparison to the appeal proposal, including in respect of their scale in proportion to the original dwellings, the application of planning policies, or whether the Council has been consistent in its approach. This factor therefore carries limited weight in favour of the proposal.

17. The appellant has advised that over the years the site has been improved by the replacement of unsightly buildings with buildings that are less visually obtrusive, thereby improving the openness of the Green Belt. However, I have been provided with little evidence to support these claims and therefore this is of limited weight.

Conclusion

18. The proposal would be inappropriate development in the terms set out by the Framework and would result in a harmful loss of openness to the Green Belt. I have also found it to be harmful to the character and appearance of the existing dwelling and the surrounding area. The Framework requires that substantial weight is given to any harm to the Green Belt.

19. For the reasons set out above, I find that the harm to the Green Belt would not be clearly outweighed by other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

Jeff Tweddle

INSPECTOR