



Appeal Decision

Site Visit made on 7 December 2020

by Graeme Robbie BA(Hons), BPI, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2021

Appeal Ref: APP/J4525/W/20/3257796

East Barnwell Farm, Chester Road, Shiney Row, Houghton Le Spring DH4 7NJ

- 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 Anthony Green against the decision of Sunderland City Council.
 - The application Ref 19/01485/FUL, dated 4 September 2019, was refused by notice dated 28 February 2020.
 - The development proposed is extension to Storage Room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal is 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 proposal on the openness of the Green Belt and the purposes of including land within it;
 - The effect of the proposal on the character and appearance of the appeal property and the surrounding; and
 - If 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

3. The Framework states that inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances. Any harm to the GB should be given substantial weight and 'very special circumstances' will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
4. Paragraph 145 of the Framework states that the construction of new buildings within the GB is inappropriate development. However, it lists certain forms of

development which are not regarded as inappropriate. This includes 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. Although the Framework does not define 'disproportionate', it does define what constitutes the original building.

5. The appeal property has a lengthy planning history, its current form and use arising from a series of planning applications dating back to the 1980s. The Council cite the proposed extension, adding to previous extensions, as resulting in an almost 225% increase in size¹ over and above the original building. Other figures, utilised in previous applications, suggest that the current proposal would amount to an increase ranging from 51% to 100%. All three figures are dependent upon what is considered to be the 'original building' for the purposes of interpreting the Framework.
6. The appellant disputes the Council's calculation of an increase of almost 225% but does not provide any calculations or compelling evidence to demonstrate an alternative figure. Nor are the lower alternative figures challenged. Even if I were to accept the appellant's alternative approach that the stables were the original building as granted permission by a 1984 application², and that the only additions thereto were the tearoom extensions³ and the kitchen / preparation area⁴, then using the Council's uncontested figures, extensions totalling 133.4m² have already been added. The proposed extension would add a further 16.8m². By any of the provided figures, calculations and assumptions, the proposed extension would result in disproportionate additions over and above the size of the original building. As such, the proposal is inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and to which substantial weight must be given.

Openness

7. Within the appeal site a two-storey building is flanked to the side by an attached single storey L-shaped wing, whilst to the rear, a long single storey wing completes a broadly U-shaped form. The proposed extension would be sited on the southeast facing elevation which is prominently located alongside the busy A183 Chester Road.
8. Openness is the absence of built form and an essential characteristic of the GB. Although the simple lines of this wing of the building have been compromised to a degree by the existing peaked single storey element at the southern end of this elevation, the appeal proposal's footprint is not occupied by any built form. The proposal, by introducing a built structure where there is currently none, would thus reduce GB openness. That it would do so in a manner that would result in a larger extension than that which it would lie alongside and in a prominent position brings the reduction of openness into sharper relief. Both individually, and also cumulatively as usefully highlighted by Image 1 in the appellant's appeal statement, the proposal would result in a moderate degree of harm to openness and would add to the cumulative visual encroachment into the countryside from buildings and structures at the appeal site.

¹ Floor area

² LPA Ref No: SD/1055/84

³ LPA Ref No: 06/02106/FUL

⁴ LPA Ref No: 13/00124/FUL

9. For these reasons, the proposal would cause material harm to openness of the Green Belt, openness being one of the Green Belt's essential characteristics and would be contrary to the Green Belt purpose of safeguarding the countryside from encroachment. The proposal is therefore contrary to Core Strategy and Development Plan (CSD) policy NE6 and the provisions of the Framework in this respect.

Character and appearance

10. The proposed extension would broadly reflect the existing projecting peaked element on the otherwise long southeast flank elevation of the building. However, it would project further from the flank elevation than the existing element and would dominate this corner of the building, thus resulting in a visually intrusive and prominent addition to the otherwise simple and largely unadorned lines of this flank elevation. Moreover, the proposed extension's further intrusions into the roofline would appear awkward and disjointed alongside the existing rooflines and would compound the proposal's incongruously discordant nature. As such, the proposal would fail to secure the high-quality design and positive improvement sought by CSD policy BH1.

Other considerations

11. The existing business at the appeal site has evolved and grown over time into a popular and busy facility. The proposed extension would provide enlarged catering storage facilities in a location more conveniently located for the operation of the tearoom side of the business. Clearly, this would provide a benefit to the business and avoid the need to transfer stored items from a shipping container elsewhere within the site to the tearoom kitchen. Although this therefore weighs in support of the proposal, the weight ultimately attributable to it is reduced as it has not been compellingly demonstrated that the existing storage facilities present an obstacle to the business, or that other alternatives have been considered. The weight that I give this matter is, therefore, moderate in support.
12. I accept that the impacts of Covid-19 restrictions and periods of lock-down have been, and will continue to be, felt in many sectors of the economy. Intention to invest in existing businesses and retain existing employment are likely to be key factors in recovering from the effects of these restrictions. However, it is not clear to what extent the proposal would contribute to these factors and the weight that I give these matters, whilst supportive, is limited as a consequence.
13. My attention has also been drawn to recent extensions to two nearby properties. However, the Council considered those proposals to not be inappropriate and they are not therefore directly comparable to the appeal proposal which, for reasons set out above, I have concluded is inappropriate development in the Green Belt.

Conclusion

14. The Framework is clear that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm arising from the proposal, is clearly outweighed by other considerations. Any harm should be given substantial weight in the overall consideration.

15. There are considerations which weigh in support of the proposal, but by virtue of the moderate and limited weight that they carry, they do not clearly outweigh the harm by reason of inappropriateness, or the effect of the proposal on the character and appearance of the appeal property. The very special circumstances required do not therefore exist and, for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR

