



Appeal Decision

Site visit made on 15 December 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/J4423/D/20/3260633

Far End Cottage, Rye Lane, Dungworth, Sheffield, South Yorkshire S6 6GX

- 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 Mrs Mel Smart against the decision of Sheffield City Council.
 - The application Ref 20/01862/FUL, dated 11 June 2020, was refused by notice dated 14 September 2020.
 - The development proposed is 'raising roof of existing garage and formation of bedroom in roofspace over garage for a dependant relative.'
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Decision

1. The appeal is allowed and planning permission is granted for raising the roof of existing garage and formation of bedroom in roof space over garage for a dependant relative, at Far End Cottage, Rye Lane, Dungworth, Sheffield, South Yorkshire S6 6GX, in accordance with the terms of the application, Ref 20/01862/FUL, dated 11 June 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: RL/001/2019 (Location Plan); RL/001a/2019 (Proposed Location Plan); RL/002/2019 (Existing Elevations); RL/003/2019 (Proposed Elevations); RL/004a/2019 (Existing Plans); RL/005a/2019 (Proposed Plans).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The site lies within an area of Green Belt. Therefore, the main issues are:
 - Whether the proposal is inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt;
 - If the development is inappropriate, whether any 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 it.

Reasons

3. Paragraph 145 of the National Planning Policy Framework (the Framework) states that the construction of new buildings within the Green Belt is inappropriate development but 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.
4. Saved Policy GE6 of the Sheffield Unitary Development Plan (March 1998) (the UDP) sets out that extensions to houses in the Green Belt will be permitted only where they form a minor addition to the original house, use matching materials and be sited and designed to complement the style of the original building. Considered against the Framework test, the permitting only of 'minor' extensions is, in my judgement, more restrictive than the 'not disproportionate' test. Therefore, I afford limited weight to the saved UDP policy and have assessed the proposal primarily against the Framework test.
5. The proposed extension would raise the existing pitched roof of the garage to the side of the dwelling by some 1.49m. The Council calculates the original volume of the dwelling at 513m³. The existing garage and front extensions are calculated to have added 231m³, an increase of some 44.5%. The Council puts the proposed extension to the garage at between 57m³ (the appellant's figure) and 80m³ (based on measurement of the plans). The appellant has submitted further figures at appeal stage which indicate the extension would add 57m³, and the existing dwelling is 527m³. The cumulative increase of extensions would therefore be either 56.1% (Council) or 54% (appellant), which are not significantly different.
6. The appellant refers to a former workshop which stood on the site but was demolished in the early 1980s to make way for the garage extension, with limited remnants of a wall still visible. The Council acknowledges that workshops existed and maps supplied by the appellant indicate structures adjacent to the dwelling. However, I have no imagery or detailed plans of the former building to ascertain its size or volume. The appellant's measurement of the workshop's volume is based on rough extrapolation from the maps and plans available, and thus its accuracy is questionable. Therefore, and even if it were possible to include such an outbuilding in the calculations, it would not be possible to reach a certain conclusion as to the overall effect of the proposal, in relative terms, from the point of view of the 'disproportionate addition' assessment of Paragraph 145.
7. Moreover, the building no longer exists, and I do not have evidence as to how it was used and whether it amounted to a normal domestic adjunct such that it should be considered as an extension to the main dwelling house. Therefore, as a matter of fact and degree, owing to the detached position of the alleged original outbuilding, I do not consider that it would have formed part of the original building, and I do not include it as part of the assessment.
8. The Framework does not specify what might be a disproportionate addition over and above the size of the original building. The Council refers me to its Designing House Extensions Supplementary Planning Guidance (SPG) which defines a 'minor' addition as up to one-third of the cubic content of the original house. As set out above, the 'minor' definition used in the UDP and SPG is not directly comparable to the 'disproportionate' test of the Framework which

reduces the weight I afford it. Ultimately, whilst noting the one-third threshold, the assessment of whether the proposal would amount to 'disproportionate additions' is a matter of judgement based on the particular facts of the case.

9. In this case, the single storey garage and front extension already cumulatively exceed the SPG threshold in terms of cubic content. However, I saw them to form discrete, low level additions which still allow the original building to be understood, and they do not appear disproportionate in size, individually or cumulatively. The proposal would heighten the garage extension, but it would be modest in size in and of itself. It would incorporate into the existing building by retaining the same general shape, standing clearly below the main ridge height and retaining a subservient scale relative to the original dwelling. Given this, I am of the view that the existing extensions are not disproportionate in size, and that the addition of the proposed extension would not result in disproportionate additions over and above the size of the original building.
10. Therefore, I find that the proposal would not be inappropriate development in the Green Belt and would not conflict with Saved Policy GE6 or the provisions of the Framework. With respect to openness and the purposes of the Green Belt, given my findings that the proposal would not be inappropriate development in the Green Belt, the proposal would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it.
11. As the proposal does not amount to inappropriate development, there is no requirement to assess if there are other considerations that amount to very special circumstances needed to justify the development.

Other Matters

12. The Council did not refuse permission in respect of the effect of the proposal on the character and appearance of the area, which comprises an Area of High Landscape Value. I viewed the dwelling from a number of higher vantage points within the surrounding landscape, but these are at a distance from where the proposed extension would not be easily discernible, and would have little to no effect on the overall size, shape or prominence of the dwelling. The dwelling would still form a modest structure in the wider landscape, which is dotted with dwellings and farm buildings, many in more conspicuous positions on higher ground. As such, I find that no harm would occur to the character or appearance of the surrounding landscape.
13. No objection was raised by the Council in respect of the effect on neighbours' living conditions or highway safety, and having seen and considered the site context, I have no reasons to conclude otherwise.

Conclusion

14. I have found above that the proposal would not be inappropriate development in the Green Belt, nor would there be a harmful effect on the openness of the Green Belt or the character and appearance of the area. Consequently, there is no conflict with the development plan or the Framework and so the appeal should succeed.
15. A condition requiring development to be carried out in accordance with the approved plans is necessary, to provide certainty. A condition requiring

materials to match those used on the existing dwelling is needed in the interests of the character and appearance of the host dwelling and the surrounding area.

16. The appeal is therefore allowed.

K Savage

INSPECTOR