



Appeal Decision

Site visit made on 28 March 2023

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2023

Appeal Ref: APP/J4423/D/22/3313072

Rivelin Filter Cottage, Sheffield S6 5SP

- 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 H Beck against the decision of Sheffield City Council.
 - The application Ref 22/03963/FUL, dated 31 October 2022, was refused by notice dated 6 December 2022.
 - The development proposed is described as erection of front porch extension and single storey rear extension including rear raised terrace and balustrade (resubmission of 22/01651/FUL).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal constitutes inappropriate development in the Green Belt, having regard to any relevant development plan policies and the National Planning Policy Framework (the Framework),
 - if the proposed development is inappropriate development, its effect on the openness of the Green Belt,
 - the effect of the proposal on the character and appearance of the host property and the area, and
 - if the development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations that amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development in the Green Belt

3. Saved Policy GE6 of the Sheffield Unitary Development Plan 1998, (UDP), states that extensions to existing houses in the Green Belt will only be permitted if the extension(s) satisfy the following criteria
 - (a) form a minor addition to the original house¹, and

¹ Phrases underlined are my emphasis.

- (b) use matching materials and be sited and designed to complement the style of the original building or in the local building style, as appropriate.
4. Government Green Belt policy is outlined in Chapter 13 of the Framework, which is a significant material consideration in determining the appeal. Paragraph 149 advises that the construction of new buildings in the Green Belt constitutes inappropriate development, apart from specified exceptions, one of which (149 c) 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"*.
5. Thus, sub paragraph (a) of saved Policy GE6 refers to minor additions to the original house, whereas 149 c) of the Framework refers to disproportionate additions to the original building. I therefore consider that sub paragraph (a) of saved Policy GE6 is not consistent with sub paragraph 149 c) of the Framework, as a proportionate addition to a building may not actually be the same as a minor addition. Additionally, GE6 (a) refers specifically to houses, whereas 149 c) relates to all buildings, not just houses. Consequently, I consider Green Belt policies outlined in the Framework to be the most up-to-date Green Belt policies against which the proposal should be assessed.
6. As noted, the proposal seeks permission for a front porch, around 2.8 m wide, 2 m deep and 4.2 m high, a single-storey rear extension, around 3.5 m deep and 14.1 m wide (extending across the full width of the dwelling), and a raised terrace with glazed balustrade, sited around the perimeter of the proposed rear extension. Parties agree that the property has already been extended, with a two-storey side extension (the full depth and height of the property) and a front dormer. According to the Council, which the appellant has not challenged, these extensions resulted in a volume increase to the original dwelling of around 35-40%.
7. Although volume is not the only factor that should be considered when assessing whether proposed extensions are proportionate or not, there is no doubt in my mind, given the siting and sizes of the extensions already constructed and those proposed, that the addition of the proposed extensions would result in disproportionate additions to the original building. Consequently, I conclude that the proposal would constitute inappropriate development in the Green Belt.
8. Paragraph 147 of the Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSCs).

Effect on openness of the Green Belt

9. Paragraph 137 of the Framework states that the essential characteristics of Green Belts are their openness and permanence. The openness of the Green Belt has both spatial and visual dimensions.
10. The proposal would add extensions of a significant size. I therefore conclude that the proposed works would inevitably reduce the spatial openness of the Green Belt, to a moderate degree. All elements of the proposal would be visible from several public vantage points, ie the road and adjacent pavements that pass the front of the site (Manchester Road), and the road off Manchester Road that serves the appeal property and other cottages immediately east of the

site. The proposed works would also be visible from the adjacent gardens of number 6 Rivelin Filter Cottages, the front gardens of the other neighbouring dwellings, and parts of the grounds of the neighbouring water pumping station. I therefore conclude that the proposed development would also reduce the visual openness of the Green Belt, to a limited degree.

Effect on the character and appearance of the host dwelling and the area

11. The existing extensions at the property, especially the two-story side extension, have already substantially altered the character and appearance of the original dwelling. I have found that the proposed works would result in disproportionate additions to the original property. Additionally, due to the siting of existing and proposed extensions and their overall scale and mass, I conclude that the proposed works would result in the original dwelling being barely perceptible from the resultant overall built form. I therefore conclude that the proposed development would have a detrimental impact on the character and appearance of the original dwelling.
12. The site is in an area of countryside where there are very few neighbouring residential properties, the only ones being 3 pairs of semi-detached dwellings east of the site. There is woodland and open countryside to the rear of the site and open land opposite the site.
13. From what I was able to observe, although some of the neighbouring properties have been altered/extended, such alterations/extensions have been limited in scale and proportionate to the original dwellings, thereby retaining their original character and appearance. I consider the harm I have found the proposal would cause to the character and appearance of the original dwelling would therefore be harmful to the character and appearance of the area.
14. The site is located within an area that is designated as an Area of High Landscape Value (AHLV) in the UDP. I have been informed by the Council that the landscape assessment documents that supported the AHLV designation are no longer available. However, I have been provided with a copy of a Preliminary Landscape Character Assessment (PLCA) of Sheffield's Green Belt and Countryside Areas, which, although not dated, I understand has recently been produced to inform the Emerging Local Plan (ELP). Bearing in mind the advice given in paragraph 48 of the Framework, as the ELP is not at an advanced stage of preparation, I give little weight to any emerging policies in it. However, purely as an assessment of the character of the landscape, I have borne in mind the contents of the PLCA in reaching my Decision.
15. The site lies within an area identified as Pastoral Upland River Valley (PURV) in the PLCA. The PLCA outlines the key landscape features within the PURV, ie rural character, pastoral farmland with native woodland, views enclosed by hills and ridges, sometimes distant views of suburban areas, some moorland views and small dams and reservoirs. I consider the proposal would not harm any of the identified key landscape features of the PURV.
16. In light of the above, I conclude that the proposal does not accord with sub (b) of saved Policy GE6 of the UDP, (which I consider to be consistent with policies in the Framework that seek to secure high quality design and protect the character and appearance of an area), or paragraph 130 of the Framework.

Other considerations & very special circumstances

17. Paragraph 148 of the Framework states that, when determining applications, substantial weight shall be given to any harm to the Green Belt, and VSCs will not exist unless the potential harm to the Green Belt (by reason of inappropriateness or any other harm resulting from the proposal) is clearly outweighed by other considerations.
18. The appellant relies on a fallback position to justify the proposal. Thus, the Council issued a Lawful Development Certificate (LDC), Ref 22/03773/LD2, on 07 December 2022, for the erection of single-storey side and rear extensions and a front porch. Although it is not possible for me to deduce from the evidence provided the degree to which it is likely that the appellant would implement the LDC scheme should planning permission for the proposed development be refused, the appellant clearly asserts that the LDC scheme would be implemented in such circumstances. I therefore attach considerable weight to the fallback position.
19. The appellant asserts that the proposed development would have less impact on the openness of the Green Belt than the fallback scheme. Although I appreciate the appellant's reasoning, I reach a different conclusion.
20. With regard to impact on spatial openness, if the various elements of each of the respective schemes were consolidated, to my mind there would not be much difference between the appeal proposal and the LDC scheme in terms of impact on spatial openness.
21. I accept that there would be little difference regarding the impacts of the respective porches in each of the proposals on the visual openness of the Green Belt. Nevertheless, I consider the appeal proposal would be more harmful to the visual openness of the Green Belt than the LDC scheme. Thus, I acknowledge that the LDC scheme includes a side extension that would close the gap between the existing western side elevation of the dwelling and the western side boundary of the site, whereas the appeal proposal does not include a side extension.
22. However, I observed during my site visit that there is an outbuilding sited in front of the dwelling, in the north-western corner of the site, between the dwelling and the front boundary wall. Due to the siting and size of this outbuilding, should the LDC scheme be implemented, the side extension would be barely visible from Manchester Road; nor would it be visible from the road off Manchester Road that serves the neighbouring properties or the gardens of either of the neighbouring properties.
23. As noted, the rear extension of the appeal proposal would extend across the full width of the dwelling, whereas the rear extension of the LDC scheme would only extend across around three quarters of the width of the dwelling. Consequently, the rear extension of the LDC scheme would be set-in much further from the eastern side boundary of the site than the appeal proposal. Additionally, the appeal proposal includes a terrace and glazed balustrade.
24. For these reasons, development at the rear of the property in the appeal proposal would be much more visible than the rear extension of the LDC scheme, when seen traveling east-to-west along Manchester Road, from the road off Manchester Road serving the neighbouring properties, from the

adjacent gardens of Number 6 Rivelin Filter Cottages, and the front gardens of the other cottages. It is for these reasons that I conclude that the appeal proposal would have a greater impact on the visual openness of the Green Belt than the LDC scheme.

25. With regard to the impact of the LDC scheme on the character and appearance of the original dwelling, I consider it would be comparable to the impact of the appeal proposal, ie both schemes would harm the character and appearance of the original dwelling to the same degree.
26. I have found that the appeal proposal constitutes inappropriate development in the Green Belt and that it would have a moderate degree of impact on the spatial openness of the Green Belt and a limited degree of impact on its visual openness. I have also found that the proposal would harm the character and appearance of the original property and consequently the area.
27. As noted above, in accordance with the Framework, substantial weight is attached to any harm to the Green Belt, and very special circumstances will not exist unless harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. For the reasons given, I conclude that the harms I have found are not clearly outweighed by the other considerations outlined. Consequently, the very special circumstances required to justify the proposed development do not exist. As such, the proposal does not accord with Green Belt policies in the Framework.

Conclusion

28. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR