



Appeal Decision

Site visit made on 16 February 2023

by Chris Forreth BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2023

Appeal Ref: APP/J3720/D/22/3296669

Needlers Cottage, 61 Green Lane, Studley, B80 7HD

- 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 Pratt against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/04082/FUL, dated 24 December 2021, was refused by notice dated 2 March 2022.
 - The development proposed is a replacement single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) whether the proposal is inappropriate development in the Green Belt;
 - (ii) the effect on the openness of the Green Belt; and
 - (iii) if the development is inappropriate, 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 the proposal is inappropriate development in the Green Belt

3. Paragraph 137 of the National Planning Policy Framework (the Framework) outlines the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Framework, at paragraphs 149 and 150, set out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.
4. Paragraph 149c) sets out that new buildings within the Green Belt are inappropriate unless any extension or alteration of a building is such that it does not result in disproportionate additions over and above the size of the original building. In this context, original building means the dwelling as originally built or as the building existed on 1 July 1948 (whichever is the later).

5. The Framework does not define what would be classed as a disproportionate addition, but the overall size of the building (either in terms of footprint, floorspace or volume) are clearly important factors.
6. Policy CS.10 of the Stratford-on-Avon District Core Strategy 2011-2031 (2016) (CS) sets out that a small-scale extension or alteration to a building is not inappropriate in the Green Belt. However, the Development Management Considerations section of this policy provides further detail of how this assessed which follows the thrust of the Framework.
7. The appeal proposal is for a very modest extension to the side of the house between the main building and a range of outbuildings. It would also replace an existing smaller projection. Taken in isolation to the previous extension works at the property, the proposal would clearly be small-scale. However, as the existing building has been previously extended, this needs to be taken into account in any consideration of the size of the resultant building.
8. Whilst there is some disagreement between the main parties as to the size of the previous extensions (and replacement outbuildings), it is clear to me that the overall level of extensions is not insignificant. Even if I was to take the appellants figure of a 352% increase in size (and indeed any further reduction as a result of the outbuildings), there is still a significant increase in size from the original dwelling.
9. As a result, even though the proposed extension is very modest, the cumulative increase in the size of the building would be disproportionate when compared to the original dwelling.
10. To that end, the proposal would not accord with the exemption outlined at paragraph 149c). Consequently, the proposal would be inappropriate development in the Green Belt as it would not accord with any of the exemptions outlined at paragraphs 149 or 150 of the Framework. It would also be contrary to Policy CS.10 of the CS which seeks to set out where permission would be granted for not inappropriate development in the Green Belt.

Effect on the openness of the Green Belt

11. One of the five purposes of a Green Belt, outlined at paragraph 138 of the Framework, is that it should assist in safeguarding the countryside from encroachment.
12. As I have found above, the proposal would result in an increase in the size of the dwelling when compared to the original building. Given that the size of the resultant dwelling would be larger than the existing (and original) it would inevitably have some impact on the openness of the Green Belt as a result of its greater size and bulk.
13. Having said that, the proposal would be viewed very much in the context of its setting within the appeal plot. The extension would be set within an internal courtyard area where the vast majority of the proposal would be screened from view. This is particularly the case given the small gap between the main house and the two-storey outbuilding to the street frontage and the single storey outbuildings down the side of the site. Whilst there would be some views possible from the countryside to the rear, they would be very much in the context of the existing buildings which provide a frame to either side and a built form backdrop from the two-storey outbuilding.

14. In that sense, given the size of the extension itself and its setting, the proposal would not have any discernible impact on the openness of the Green Belt.
15. Taking these factors into account, in my view, the proposal would have a neutral impact on the openness of the Green Belt despite the increase in volume of the property when compared to the original dwelling.

Other matters

16. As noted by the appellant, the previous extensions and alterations at the property were carried out around 25 years ago and the current proposal is clearly a small-scale extension.
17. Whilst there are no obvious benefits to the local area as a result of the proposal, it would benefit the appellant as the laundry facilities are currently housed in one of the outbuildings. The appeal proposal would relocate this to within the extension, and therefore would not involve crossing the courtyard in inclement weather to use the laundry facilities. This factor weighs in favour of the proposal.

Green Belt balance

18. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Therefore, substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
19. I have concluded that the proposal would be inappropriate development in the Green Belt as a result of the cumulative impact of the extensions at the property.
20. Taking into account all of the other matters raised, it is clear that the proposal would have some small-scale benefits to the occupier of the property. However, to my mind, this only provides very limited weight in favour of the proposal in the overall balance.
21. Therefore, in considering the substantial weight given to the Green Belt, I am of the view that the very special circumstances necessary to justify the development do not exist and the proposal would conflict with the Framework, and Policy CS.10 of the CS.

Conclusion

22. For the reasons given above I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR