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# Appeal Decision

Site visit made on 28 March 2023

**by David Jones BSc (Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 May 2023**

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**Appeal Ref: APP/B3438/D/22/3313431**

**Willowbrook, Micklea Lane, Longsdon, Staffordshire ST9 9QA**

- 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 & Mrs P Ledger against the decision of Staffordshire Moorlands District Council.
  - The application Ref SMD/2022/0429, dated 29 July 2022, was refused by notice dated 26 September 2022.
  - The development proposed is the extension, alterations of balcony/terrace and replacement windows.
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## Decision

1. The appeal is allowed and planning permission is granted for the extension, alterations of balcony/terrace and replacement windows at Willowbrook, Micklea Lane, Longsdon, Staffordshire ST9 9QA in accordance with the terms of the application, Ref SMD/2022/0429, dated 29 July 2022, 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: Location and Block Plan - 2022-2701-05, Section and Elevations - 2022-2701-04 Rev B, Floor Plans - 2022-2701-03 Rev B.

## Main Issues

2. The main issues are:
  - whether the proposed 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; and
  - if the development is inappropriate, 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 in the Green Belt*

3. The appeal property is a detached split-level dwelling constructed from a mix of stone and red facing brickwork with a plain tile roof. The property sits amongst

a cluster of dwellings of various sizes and designs and is located within the Green Belt.

4. Paragraph 149 of the Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate development, subject to exceptions set out in paragraphs 149 and 150. The exception in 149(c) relates to 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. Policy SS10 of the Staffordshire Moorlands Local Plan (adopted September 2020) (LP) states that strict control will continue to be exercised over inappropriate development in the Green Belt, allowing only for exceptions as defined by Government Policy.
5. There is no definition within the LP or the Framework of what constitutes a 'disproportionate addition.' In the absence of specific guidance, whether the proposal would result in 'disproportionate additions' is ultimately a matter of judgment based on the particular facts in each case.
6. The development consists of the extension and alteration of the building. In considering whether or not the development would result in disproportionate additions over and above the size of the original building, the Council state that when taken cumulatively with previous extensions the proposed development would equate to an increase in volume of approximately 80% and therefore would result in a disproportionate addition over and above the size of the original building. There is however no substantive evidence of any previous extensions being carried out to the building, and none were readily apparent at my site visit.
7. The appellant states that the proposed development would have a floor area of 67sqm and a volume of 23 cubic metres, which would amount to a 0.04% increase in floor area and a 0.07% increase in volume. In purely mathematical terms these increases are not disproportionate. However, when determining whether or not a proposal would be a disproportionate addition, it is also important to consider the visual increase in the size of the original building, taking into account the nature of the site and the proposal.
8. In this instance, the proposal is for the removal of the existing glazed link between the main dwelling and garage and the subsequent erection of a new enlarged structure with a flat roof and aluminium doors and windows. Whilst the development would extend a further 2.6m back than the existing and largely infill the area between the dwelling and garage, it would not extend beyond the rear elevation. Consequently, its modest increase in size would not be readily apparent visually. The existing terrace/balcony area to the rear would also be extended, however this increase would be modest with the width of the terrace being extended by around 1.1m and its depth by around 2m. Furthermore, by virtue of its location at the rear the extended balcony and terrace would be viewed against the backdrop of the building further reducing its prominence visually.
9. The proposed development would appear subservient and would integrate well with the existing building. Indeed, the Council had no objection to the proposal in design terms, stating that the proposed extension would not compete with the proportions of the existing dwellinghouse and that the increased area of the terrace and balcony would not be considered dominant in its size and massing in comparison to the host dwelling.

10. Taking these factors into account, I find that the proposed development would not be a disproportionate addition over and above the size of the original building. It would therefore be one of the exceptions identified in paragraph 149(c) of the Framework. Accordingly, the proposal would not be inappropriate development in the Green Belt and would comply with the Green Belt protection objectives of the Framework and Policy SS10 of the LP. Consequently, it is unnecessary to consider the effect on openness, or whether there would be very special circumstances.

### **Conditions**

11. In addition to the standard three-year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans in the interests of certainty. A further condition requiring materials to match the existing building is not necessary as the proposed materials are set out on the plans.

### **Conclusion**

12. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

*David Jones*

INSPECTOR