



Appeal Decision

Site visit made on 15 May 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2023

Appeal Ref: APP/B3438/D/23/3315837

Loreto, Clewlow Bank, Stockton Brook, STOKE-ON-TRENT ST9 9LN

- 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 O Holdcroft against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2022/0636, dated 29 November 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the demolition of an existing single storey side/rear extension and a replacement two-storey side/single-storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of an existing single-storey side/rear extension and a replacement two-storey side/single storey rear extension at Loreto, Stockton Brook ST9 9LN in accordance with the terms of the application, Ref SMD/2022/0636, dated 29 November 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2021-2621-02D – proposed floor plans and elevations and 2021-2621-03 – location and block plan
 - 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.

Preliminary Matters

2. Planning permission¹ has been granted on site for a two-storey side extension. The approval was reported in the Council's officer report as resulting in an increase in volume of 43%. This is similar to the appeal scheme apart from its omission of the proposed rear addition. This development has not yet been commenced but I see no reason, in evidence, why it would not be built irrespective of the outcome of this appeal. Accordingly, the extant consent is a material consideration of substantial weight in my consideration of the merits of this appeal.

¹ Planning Application Reference: SMD/2022/0163

Main Issues

3. The main issues are whether the proposed extension would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (The Framework) and any relevant development plan policies, the effect on the openness of the Green Belt, and if the proposal would be inappropriate development, whether any harm is clearly outweighed by other considerations, so as to amount to very special circumstances to justify it.

Reasons

4. The site is within a linear group of dwellings over-washed by the Green Belt. Policy SS10 of the Staffordshire Moorlands Local Plan [2020] (LP) is concerned with 'other rural areas' comprising of the countryside and the Green Belt. This policy states, at section 1, that it will allow extensions to existing dwellings provided they are appropriate in scale and design. It continues that the Council will assess schemes having regard to the original dwelling, in cases where cumulative change has occurred. Section 6 of the policy also explains that the Council will maintain the Green Belt with strict control applied over inappropriate development allowing only for exceptions as defined by Government policy.
5. Paragraph 137 of the Framework identifies that the fundamental aim of the Green Belt is to prevent urban sprawl and keep land permanently open. Paragraph 149 establishes that new development would be inappropriate unless it meets a listed exception. Exception (c) allows for "the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building". LP policy SS10 is consistent with the objectives of the Framework and as such afforded full weight.
6. The phrase 'disproportionate' is not defined by the Framework. The Council refers to a 'rule of thumb' guide of 30 percent with respect to additions to buildings in the Green Belt. However, this numerical measure is not enshrined in policy and would be an over prescriptive approach to matters of proportionality. Accordingly, a conclusion on this matter cannot be arrived at purely on a mathematical calculation as a single factor. Consequently, the test is primarily an objective one based on size, as referenced by the Framework. This is therefore ultimately a matter for the decision maker, with much depending on the individual circumstances of the proposal.
7. The appeal site comprises a semi-detached property in a row of houses of various designs with a staggered front building line. The adjacent dwelling, 'Meadow View' is a bungalow which is recessed into its deep plot, well behind and above the appeal dwelling. Its frontage is open and exposed, with a retaining wall on the shared boundary, without boundary screening. The absence of screening is likely to be a temporary situation while work is undertaken to the frontage of 'Meadow View'. As a result, the side and rear of the appeal dwelling is currently exposed to views from the neighbour's driveway and partially from the street.
8. The previous extensions to the side and rear of the host dwelling would be demolished to facilitate the construction of the proposal. The Council has calculated that the proposal would result in an increase in volume of 66% to

the original building. However, the Council has not explained how it determined this figure. In contrast, the Appellant has demonstrated that the proposal would result in a reduced increase in volume of 47%, being less than half the volume of the original dwelling. This figure is supported by floor area figures which I find accurately reflects the scale of development proposed.

9. The proposed side extension of the proposal would be of relatively narrow width, recessed at first-floor and have a ridgeline that would be below the ridge of the main house. As a result, the side extension would be subservient to the original dwelling. The proposed connected rear extension would replace an existing rear extension and cover two thirds of the extended rear elevation. Nonetheless, being single-storey, and due to the height of the neighbouring retaining wall, the rear extension would be largely screened from views of the highway.
10. In comparison the approved scheme would retain half of the existing rear extension and would not extend to the rear of the dwelling. As a result, the difference between the approved and proposed scheme would be a single-storey component beyond the rear corner of the existing building. This difference in floor area would be around 9 sqm, demonstrating a modest change. As such, in consideration of the fallback position, and the arrangement of form of the proposal and its size, the proposed extension would be proportionate to the original dwelling.
11. Consequently, the proposal would not represent additions that would be disproportionate to the size of the original building. As the proposal would accord with the requirements of Paragraph 149(c) of the Framework, it would not be inappropriate development. Accordingly, the proposal would not be harmful to the openness of the Green Belt nor would it require to be justified by very special circumstances and would therefore be acceptable development.
12. It is necessary to apply conditions, in connection with a commencement period and list the approved plans, for clarity and to accord with the Planning Practice Guidance. It is also necessary for a condition to be imposed that would require materials to match the main dwelling in the interests of the character and appearance of the area.
13. For the reasons given above, I therefore conclude that the appeal should be allowed.

Ben Plenty

INSPECTOR