



Appeal Decision

Site visit made on 25 July 2023

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2023

Appeal Ref: APP/Y3425/D/23/3322354

32 Parkway, Trentham, Stoke-On-Trent ST4 8AG

- 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 Patel against the decision of Stafford Borough Council.
 - The application Ref 21/34104/HOU, dated 25 March 2021, was refused by notice dated 13 April 2023.
 - The development proposed is structure with glass elevations and roof on garden patio.
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Decision

1. The appeal is allowed and planning permission is granted for structure with glass elevations and roof on garden patio at 32 Parkway, Trentham, Stoke-On-Trent ST4 8AG in accordance with the terms of the application, Ref 21/34104/HOU, dated 25 March 2021, 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: 09/99/493B and un-numbered drawing scale 1:500 with proposed glass garden room shown crossed.

Preliminary Matters

2. The application form and the Council's decision notice give the site address as 32 The Parkway. However, the road sign I saw on my visit simply said Parkway and so the address in the header and decision above is accurate.
3. The description of development above is taken from the decision notice and appeal form. It is different to that provided on the application form but has been agreed to by the appellant.

Main Issue

4. The main issue is whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy.

Reasons

5. The appeal property is a detached house in a residential street, although I am advised that it is in designated Green Belt. The proposal consists of the erection of a glazed extension to the rear of the dwelling.
6. The Council's refusal reasons refer to policies N1 and C5 of the Plan for Stafford Borough 2014 (the Plan). However, neither of these policies include provisions that define inappropriate development in the Green Belt. Instead, I am referred

to paragraph 149 of the Framework, which states the construction of new buildings should be regarded as inappropriate development in the Green Belt unless it falls within a list of exceptions. These include the extension of a building provided it does not result in disproportionate additions over and above the size of the original building.

7. The Framework does not define the term “disproportionate additions” but the Plan policy C5 states that outside settlements an extension should not result in additions of more than 70% to the dwelling as originally built. In the absence of any alternative, it is reasonable to assess whether the proposal would comply with this 70% limit so as to ascertain whether it represents inappropriate development in the Green Belt.
8. The Framework defines the original building as how it existed on 1 July 1948. The appeal property was constructed in the 1930’s and since then it has been altered and extended. With reference to a ordnance survey map from the 1930’s, the Council officer’s report indicates that the floor area of the original dwelling was 282.55 m², including a garage. The appellant agrees with this figure.
9. The Council officer’s report notes that parts of the original dwelling has since been demolished and replaced by extensions. In calculating whether the proposal would result in disproportionate additions, the Council has considered the size of the original dwelling that remains and compared that to the size of the existing and proposed extensions.
10. However, the test as set out under paragraph 149(c) of the Framework requires a comparison of the size of the dwelling as it stood on 1 July 1948 against its size following the construction of the proposal. There is no indication that elements of the original dwelling that no longer exist should be discounted in the manner suggested by the Council. Therefore, even if I accept the Council’s case that the proposed extension would lead to a cumulative increase of 111.47% in floor area compared to what remains of the original dwelling, it does not follow that this would be disproportionate additions to the size of the original building.
11. Instead, I find the figures provided at figure 2 of the appellant’s grounds of appeal document to be more persuasive. These indicate that the proposed addition plus the extensions already to the appeal property would lead to an increase in floor space of about 199m² compared to the floor area of the original dwelling of 282.55m². This would represent an increase of about 70% and so I find the proposal would accord with the limitations on the size of extensions as set out under the Plan policy C5 part C.
12. The Council also raises concern that the proposal would cause harm to the openness and character of the Green Belt. However, there is no stipulation within the Framework that extensions to buildings need to preserve openness in order to be not inappropriate development in the Green Belt. The Plan policy C5 part C (ii) requires the design and appearance of an extension to be proportionate to the type and character of the existing dwelling and area. The Council accepts the addition would appear proportionate to the dwelling as it stands and that its glazed form would not harm the appearance of the appeal property. I find no reason to disagree with the Council on these matters.

13. From the information provided, I am satisfied the proposal would not lead to disproportionate additions over and above the size of the original dwelling in terms of floor space. As such, I conclude the proposal would comply with policy C5 of the Plan and paragraph 149(c) of the Framework and it would not represent inappropriate development in the Green Belt. The Plan policy N1 is referred to by the Council but it contains no specific provisions relevant to the Green Belt issue.

Other Matter

14. From the map provided at appendix 3 of the Trentham Conservation Area Appraisal 2013, it would seem the appeal site lies outside the Trentham Conservation Area (the CA) with the boundary along the rear of the back garden. Due to separation distances and intervening vegetation, it is unlikely the proposal would be easily seen from the CA. In any event, it would not meaningfully change the character of the appeal site nor the setting to the CA. The character, appearance and significance of the CA would be preserved.

Conditions and Conclusion

15. For reasons of clarity and to ensure the development is carried out as shown, I have attached a planning condition as suggested by the Council that lists the approved plans. I have not included reference to drawing numbered TQRQM21084093629725 as this appears inaccurate and inconsistent with the other plans. For the reasons given, I conclude that the appeal should succeed.

Jonathan Edwards

INSPECTOR