



Appeal Decision

Site visit made on 24 October 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2023

Appeal Ref: APP/B3438/D/23/3319478

**Roughstones, Brookside, Cheadle Road, Draycott, Stoke-on-Trent
ST11 9RQ**

- 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 Myatt against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2022/0600, dated 4 November 2022, was refused by notice dated 6 January 2023.
 - The development proposed is extension and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for extension and alterations at Roughstones, Brookside, Cheadle Road, Draycott, Stoke-on-Trent, ST11 9RQ in accordance with the terms of the application, Ref SMD/2022/0600, dated 4 November 2022, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Preliminary Matters

2. There are minor variations in the address of the proposal as it appears on the application form, appeal form and decision notice. I have therefore used the address as it appears on the appeal form which correlates with that on the Royal Mail Post Code Finder.
3. The appellants refer to the Council's Supplementary Planning Guidance: *Design Principles for Development* (SPG), undated. The SPG is not referenced within the Council's reasons for refusal. The Council advises that the SPG is a long-established adopted document. I have no reason to consider otherwise. I have therefore taken the SPG into account in my consideration of the appeal.

Main Issues

4. 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;
- the effect of the proposal on the openness of the Green Belt;
- the effect of the proposal upon the character and appearance of the area; and
- 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

Inappropriate Development

5. The appeal site lies within the Green Belt. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances; and that the construction of new buildings within the Green Belt is inappropriate development.
6. There are however a limited number of exceptions to this, as set out in the Framework, including that at paragraph 149 c) which refers 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 building¹.
7. Policy SS10 of the Staffordshire Moorlands Local Plan 2020 (SMLP) sets out that strict control will be exercised over inappropriate development, allowing only for exceptions as defined by Government policy. The Framework does not provide a definition of 'disproportionate additions' and neither does Policy SS10. Therefore, an assessment of whether a proposal would amount to a disproportionate addition is a matter of planning judgement.
8. The appeal property is a modest dwelling built after 1 July 1948, subsequently extended by way of an attached garage which increased the footprint of the original dwelling by about 76% and its volume by 43%. The appeal scheme would add a further 39% increase in volume to the original dwelling. Although the full detail of these calculations is not before me, there is no dispute in regard to these figures. While the proposal would not result in a further increase in the footprint of the existing dwelling, it would result in a cumulative increase in footprint and volume to the original dwelling. I consider this to be of such a size as to be disproportionate in cumulative terms.
9. I therefore conclude that the proposed development would result in inappropriate development in the Green Belt, and it conflicts with Policy SS10 of the SMLP and the Framework.

¹ The Framework defines 'original building' as the building as it existed on 1 July 1948, or if it was constructed after that date, as it was built originally.

Openness

10. Openness is an essential characteristic of the Green Belt, and it has a spatial aspect as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.
11. The appeal site is in a rural area, characterised by a loose scattering of plots along or around narrow lanes generally of single vehicle width. Due to the topography of the area, properties around the lanes are sited at varying levels. The appeal property is sited on a raised plot. Its principal elevation is angled slightly away from the lane, with a steep driveway. The proposal would introduce further bulk and mass to the first floor, resulting in a spatial impact upon the Green Belt.
12. Due to the topography, existing vegetation, the elevated siting and existing built form of the appeal property, views from the lane towards the open land to the rear of the appeal site are very limited. The most open angle of view is on the opposite flank to the proposed extension when approaching from the higher part of the lane. Due to the 2m setback to the proposed extension, views of it would be very limited in this regard. Any public views of the rear of the appeal property across open land would be at some distance. Therefore, the further bulk and mass would be of limited impact in visual terms.
13. I therefore conclude that the proposed development would fail to preserve the openness of the Green Belt, even though to a limited extent. It conflicts with Policy SS10 of the SMLP and the fundamental aims of the Framework.

Character and appearance

14. As set out above, the character of the area is of loose scattered plots, within a varied topography. Property forms vary to include single and two storey dwellings. Dwellings along the central part of Brookside are sited at a much lower level than those on higher ground towards and along Cheadle Road. Such properties can appear imposing due to their siting and scale, particularly when viewed from the lower lanes. The degree of imposition varies according to the volume of built form in view, and the presence or otherwise of vegetation that might screen built form. In this regard, the presence of properties within raised plots is part of the existing character of the area. Therefore, the nature of the original and existing dwelling within its context is highly relevant in addressing this main issue.
15. The original dwelling includes a part two storey/part single-storey front elevation, with asymmetrical roofs. Such a design is rather unique to the area and does not represent the local vernacular. In my view, the unusual nature of the front elevation results in a degree of imbalance to the appearance of the dwelling, where the single storey part of the original elevation appears somewhat subordinate to the main two storey elevation.
16. The existing garage extension aligns with the elevation facing the lane. Although its roof is largely flat, it has a mock pitch roof to the front, which harmonises with the central two-storey roof of the original dwelling. Although the existing extension is less wide than the original dwelling, it appears relatively prominent due to the original asymmetrical design. Thus, the existing

extension is not unduly discordant, given the restricted nature of the topography and original design of its host.

17. The appeal property is screened by vegetation when approaching from the lower part of the lane, after which it appears in immediate view with a steep driveway towards its elevated position, and thus it appears relatively imposing within the confines of the narrow lane. After the driveway, the frontage is screened by retaining structures and vegetation as the narrow lane rises towards Cheadle Road. When viewed from the top of the lane near the junction with Cheadle Road, it is less imposing, due to its angled siting away from the narrow lane, and its unusual asymmetrical roof.
18. The proposed extension would occupy the full width of the existing garage extension, but it would be significantly set back to a point about 2m behind the front elevation, and to a lower ridge height than the main roof. Consequently, it would appear subordinate to the parent dwelling. The use of matching materials would give a harmonious appearance. It would therefore meet the requirements of the Council's Supplementary Planning Document: *Design Guide* 2018 (SPD) and the SPG.
19. Overall, the proposal is of such a scale and design that it is subservient and simple; and reflects the evolution of the property. Therefore, the proposal would not unduly detract from the dwelling's original and/or existing design.
20. I therefore conclude that the proposed development would not unacceptably harm the character and appearance of the area. It accords with Policies DC1 and SS10 of the SMLP, the SPD and the SPG. Taken together, these policies and guidance seek to ensure that extensions are of an appropriate scale and design; respect the site and its surroundings; promote a sense of place and identity through various factors including scale, height, siting, character and appearance; and do not have a detrimental impact on the existing dwelling or the character of the rural area.

Other considerations

21. My attention is drawn to a potential fallback position by virtue of the enactment of permitted development rights as per Class A of the GPDO², whereby a side and a rear extension could be constructed resulting in a larger increase to the footprint and volume of the original dwelling than the appeal scheme.
22. The Council accepts the fallback position as a theoretical prospect and, does not dispute that it would be materially larger than the appeal scheme. I have no reason to find otherwise. Plans of the potential fallback position are before me, together with a stated intention to apply for a lawful development certificate. I am satisfied that the fallback position is a realistic prospect.
23. The separation of the additions would result in subordinate additions. However, further bulk and mass would be added to the rear and to the other side of the dwelling. This would result in a substantial increase to both the footprint and the volume of the original dwelling. The rear addition would not be in public view from the lane, but the side addition would appear in views from the lane towards the open land to the rear of the appeal site, to varying degrees, depending on the approach. Thus, the fallback scheme would have a greater impact upon the openness of the Green Belt in spatial and visual terms.

² The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

24. The appeal scheme would add further bulk and mass above the existing garage, but as I have set out above, it would not unacceptably harm the character and appearance of the area. I therefore conclude that the fallback scheme would be more harmful than the appeal scheme.

Conditions

25. The Council suggested conditions if the appeal was successful. I have referenced the planning application and the plans submitted with it in my formal decision above. To meet legislative requirements, a condition is imposed to address the period for commencement. A matching materials condition is necessary and reasonable in the interests of the character and appearance of the area. A condition is imposed to ensure that the development is carried out in accordance with the approved plans, in the interests of certainty.

Green Belt Balance and Conclusion

26. The proposal would result in inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. In addition, openness is an essential characteristic of the Green Belt, so a reduction in openness would also be harmful, even if to a limited extent. I am also required to give substantial weight to any harm to the Green Belt.
27. I have found that the proposed development would not unacceptably harm the character and appearance of the area. The fallback position represents a clear case for very special circumstances as it would be more harmful than the appeal scheme. Therefore, the very special circumstances necessary to justify the proposal exist.
28. For the reasons above, I conclude that the appeal should be allowed, and planning permission should be granted, subject to the conditions I have set out.

J Moore

INSPECTOR