



Appeal Decision

Site visit made on 2 November 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/J3720/D/23/3327725

17 Earlswood Common, Earlswood, Solihull, West Midlands B94 5SL

- 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 Gavin Woolley against the decision of Stratford-on-Avon District Council.
 - The application Ref 23/00268/FUL, dated 18 January 2023, was refused by notice dated 23 May 2023.
 - The development proposed is addition of first floor and pitched roofs to existing bungalow along with Permitted Development fallback position in rear garden.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal 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
 - whether any 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

3. The Framework at para 137 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state at para 147 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in para 149. One such exception is 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.
4. Policy CS.10 of the Stratford-on-Avon District Core Strategy 2011 – 2031 (CS) broadly conforms to the general thrust of national Green Belt policy, stating that a small-scale extension or alteration of a building is not inappropriate in principle.

5. The Framework does not provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgment.
6. The appeal property has existing side and rear flat roof additions. Based on the evidence before me, these are extensions which were constructed post 1948 and therefore, do not form part of the original building and must be taken into account in assessing whether the proposal would result in disproportionate additions.
7. The proposal would result in the increase in height of both the ridge and the eaves of the existing pitched roof, along with a two-storey projection on the front elevation and dormer windows. It would also involve the formation of an additional storey of accommodation with pitched roof above most of the existing rear extension.
8. Whilst the proposal would not significantly increase the footprint of the property, the proposed alterations to the original roof would add significantly to its size and bulk. The proposed first-floor rear extension, combined with the existing single storey extension would result in an addition which would be very deep and large in scale compared to the original property. The parties disagree on the percentage increase in the volume of the proposed extensions. However, they would collectively, and in addition to the existing extensions, amount to substantial additions to the property, which would be disproportionate over and above the size of the original building.
9. Consequently, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with Policy CS.10 of the CS and the Framework which seek to avoid inappropriate development in the Green Belt.

Effect on openness

10. The appeal property is clearly visible from the highway and the spaces between the appeal site and the adjacent dwellings means that the extensions and their consequential increase in bulk and volume would be appreciable from public vantage points. The resultant two storey rear element would represent a visual incursion to the rear of the property, where no first-floor development currently exists. This would be visible from the highway against the backdrop of trees which exists to the west. For these reasons the proposal would result in a loss of Green Belt openness.

Other considerations

11. The appellant suggests that it would be possible to construct a building within the rear garden under permitted development rights. However, even if there is a realistic prospect of the fallback position being implemented, I give it limited weight given that it would result in an outbuilding rather than an extension. It has also been suggested that an additional storey could be added to the dwelling under permitted development, however any such proposal would be subject to a prior approval process. I therefore attach limited weight to these matters.
12. I acknowledge the appellants comments in relation to other development which has been approved nearby. However, I have been provided with limited

information in this regard and therefore cannot be sure that these examples are sufficiently similar to the appeal scheme. In any event, I have determined the appeal on its own merits.

13. I recognise that the proposal would give the appellant more space which would be valuable to them and their growing family, however these personal circumstances carry limited weight. The appellant also advises that the proposal would improve the energy efficiency of the dwelling, however there is no substantive evidence to demonstrate that this would exceed normal requirements. Overall, I attach limited weight to these benefits.

Conclusion

14. I conclude that the proposal would be inappropriate and would result in a harmful loss of openness to the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt.
15. For the reasons set out above the harm to the Green Belt would not be clearly outweighed by the other considerations and therefore, the very special circumstances required to justify the grant of planning permission have not been demonstrated. The proposal would not accord with the development plan and there are no material considerations to outweigh that finding. Consequently, for the reasons given the appeal is dismissed.

E Pickernell

INSPECTOR