



Appeal Decision

Site visit made on 26 June 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2024

Appeal Ref: APP/X3405/D/23/3335092

71 Hayfield Hill, Cannock Wood, Cannock, Staffordshire WS15 4RT

- 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 S Smith against the decision of Cannock Chase District Council.
 - The application Ref is CH/23/0323.
 - The development proposed is described as 'demolition of garage and erection of side extension with matching 12.2m² GEA.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt; and c) if it would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate Development

4. The National Planning Policy Framework 2023 (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building. This is provided that the extension does not result in disproportionate additions over and above the size of the original. The Framework defines original building to be as it existed on 1 July 1948 or, if constructed after then, as it was built originally.
 5. The appeal property is a semi-detached two-storey dwelling set in a generous plot and has previously been extended. The Council states that the previous extensions have increased the volume of the original property by more than 50% which is not insignificant. The appellant has not challenged this figure.
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6. Size can be more than a function of volume and can include bulk, mass, and height. In this case, the scale, bulk and mass of the building has already been considerably increased through the previous additions. The proposed two-storey extension would further increase the massing and scale of the dwelling by more than a marginal degree again, even taking into account the effective re use of the space currently taken up by the garage. Consequently, the proposed side extension together with the previous extensions would cumulatively amount to disproportionate additions over and above the size of the original building. The proposal would therefore be inappropriate development which is, by definition, harmful to the Green Belt.

Openness

7. Openness is an essential characteristic of the Green Belt. Planning Practice Guidance states that openness is capable of having both spatial and visible aspects, so that both the visual impact of the proposal and its volume may be relevant.¹
8. The proposed side extension would increase the visual and spatial bulk and massing of the dwelling and would therefore result in an unavoidable reduction in the spatial openness of the Green Belt. Given the, in context, modest size of the extension and the presence of the surrounding residential properties, harm to the visual aspect of the Green Belt's openness would be limited. This would not however lessen how the scheme would reduce the openness of the Green Belt spatially, which would conflict with one of the fundamental aims of Green Belt policy which is to keep land permanently open.

Other Considerations

9. No substantive details, including details of any planning permissions, have been provided regarding the other two-storey side extensions built nearby. As such it is unclear whether these other properties had previously been extended and whether these extensions had increased the volume of the original property by means similar to or more than the appeal building. I am therefore unable to compare the reasons for allowing these other extensions to the reasons for resisting the proposal before me and, consequently, I ascribe them limited weight.
10. The appeal site is within the Cannock Chase Area of Outstanding Natural Beauty which have since been renamed as National Landscapes. The Council do not find any harm to the Cannock Chase National Landscape (CCNL). Given the proposals represent the extension of an existing dwelling within its curtilage, in a material and design befitting the feel of the existing and in amongst others, I am inclined to agree. I am therefore satisfied there would be no harm to the CCNL's special qualities. This would however be a lack of harm which would be neutral and not lend support to the appeal scheme.

Conclusion and Recommendation

11. The proposed side extension would cause harm to the Green Belt by way of inappropriateness and through reducing openness, to which substantial weight should be afforded. This would conflict with the Framework which expresses the national policy position on protecting the Green Belt from harm. The Framework states that development should not be approved unless the harm to

¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

the Green Belt, and any other harm, is clearly outweighed by other considerations. The other considerations identified above do not clearly outweigh the totality of the harm. Consequently, the very special circumstances necessary to justify the side extension do not exist. I therefore recommend the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR