



Appeal Decision

Site visit made on 25 June 2024 by Andreea Spataru BA (Hons) MA MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2024

Appeal Ref: APP/P4415/D/24/3341512

Dene Holme, Dean Lane, Dalton, Rotherham S65 3ST

- 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 Klatsias against the decision of Rotherham Metropolitan Borough Council.
 - The application reference is RB2023/1629.
 - The development proposed is for a single storey side extension.
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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. These are:
 - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan;
 - The effect of the proposal on the openness of the Green Belt; and,
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether inappropriate development in the Green Belt

4. The Framework, at paragraphs 154 and 155, sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. Paragraph 154c) includes the extension or alteration of a building, if it does not result in a disproportionate addition over and above the size of the original building.
 5. Policy SP 2 of the Rotherham Local Plan Sites and Policies (LP) and Policy CS 4 of the Rotherham Local Plan Core Strategy 2023-2028 (CS) state that land
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within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy. Policy SP 4 of the LP refers specifically to extensions to buildings in the Green Belt and states that in the Green Belt the extension or alteration of an existing building may be appropriate provided that it does not result in disproportionate additions over and above the size of the original building. The Council considers that an increase in excess of 33% in the external volume of the original building would make the proposals disproportionate.

6. The appeal dwelling has been previously extended. The Council indicates that the existing alterations have increased the volume of the original building over the 33% threshold, which is not contested by the appellants. Whilst the proposed single storey side extension, when considered in isolation, would be modest in terms of its overall scale, when taken cumulatively with the previous alterations, it would further increase the volume of the original building over the threshold set out in the development plan. This would result in a disproportionate addition over and above the size of the original building.
7. The proposal would therefore be inappropriate development, which according to paragraph 152 of the Framework is, by definition, harmful to the Green Belt.

Openness

8. The Framework indicates that openness is an essential characteristic of the Green Belt. The proposal would introduce a further element of built form to the site, albeit that it would be as an extension to an existing building. The development would inevitably increase the scale and mass of the dwelling. As a result, both in visual and spatial terms, the openness of the Green Belt would be reduced. Given the scale of the extension and the extent of the Green Belt, the harm arising from the development in this respect would be limited.
9. In coming to this view, I accept that the development would only be partially visible to the public. However, this does not mean that it would not affect the openness of the Green Belt.

Other considerations

10. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
11. The appellant has highlighted that the addition of a shower room at ground floor level would be welcomed, as it would also provide availability for elderly visitors. I note however, that the existing ground floor layout includes bathroom/toilet facilities, and that the movement of the internal staircase partially into the area currently occupied by the bathroom/toilet appears to necessitate the extension. Whilst I appreciate that the appellant may regard the works as providing an additional benefit, it is clearly the case that it would be one that would be private in nature, and that a shower room/toilet could potentially be provided within the existing accommodation without the need for an extension. As a consequence, this provision would only attract very limited weight in support of the development, which would not outweigh the harm identified above.

Whether very special circumstances necessary to justify the proposal exist

12. I have found that the proposal would be inappropriate development in the Green Belt, and whilst the level of harm to Green Belt openness would only be limited, there would nevertheless be some harm.
13. In considering the substantial weight given to the harm to the Green Belt, the benefit outlined above does not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist and the proposal would conflict with the Framework and Policies SP 2 and SP 4 of the LP and Policy CS 4 of the CS.

Recommendation

14. For the reasons given above the appeal scheme would conflict with the development plan and there are no material considerations, including the approach of the Framework and worthy of sufficient weight, that would indicate to the contrary. I therefore recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR