



Appeal Decision

Site visit made on 28 August 2024

by K Winnard Solicitor LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 15 October 2024

Appeal Ref: APP/X3405/D/24/3343619

Forest Lodge, Birches Valley, Etchinghill, Rugeley, Staffordshire WS15 2UQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms A Moylan against the decision of Cannock Chase District Council.
 - The application Ref is CH/24/024.
 - The development proposed is the erection of a two storey rear and first floor side extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of the development and I note that this description has been used by the agent for the appellant in the appeal form. I have used this description of the development as it is a more accurate description of the development.

Main Issues

3. The main issues in the appeal 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 of the proposal on the openness of the Green Belt and on the character and appearance of the host dwelling and area, having regard to its location in an Area of National Landscape;
 - Whether any harm by reason of inappropriateness, and any other harm, would be outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. Forest Lodge, the appeal property, (Forest Lodge) is a detached property with a rear conservatory extension situated within the West Midlands Green Belt. The Framework states that the construction of new buildings is inappropriate

development within the Green Belt unless the development falls within specified exceptions. These include the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. The Cannock Chase Local Plan (Local Plan) Policy CP14 quantifies matters further by recommending that the ground floor area of any proposed extension or replacement building should not normally exceed that of the original property by more than 50%.

5. On the basis of Local Plan Policy CP14, and the standards set out in the Council's Design Guide Supplementary Planning Document (SPD) which indicates that extensions should not normally exceed 50% of the original building ground floor footprint in the Green Belt, the appellant indicates that the proposal would amount to an overall increase of 48%. The Council considers that the total volume increase of the proposal would be 45% and uses a figure of 30%, although this has no policy basis, in determining proportionality.
6. Whilst Local Plan Policy CP14 sets a numerical figure relating to ground floor area, it does not define a disproportionate addition. Nor does the Framework detail what a disproportionate addition means, nor specify volumetric nor other quantitative standards where an extension might be considered disproportionate. However, it specifically relates to size which can be more than a function of floor space. In my view it is an objective test considering all relevant circumstances including, amongst other things, the floor area, volume, form and scale of the relevant building. Therefore, even if I were to accept the calculation put forward by the appellant, which is not in any event insignificant in itself, the form of the building would change considerably. More specifically the additional mass of side and rear extensions with gable roofs would result in a sizeable building.
7. The appellant draws my attention to a decision made by the Council in relation to a single storey extension of a dwelling located close to the appeal property, in which the Council determined the application on the basis of the Green Belt allowances within Local Plan Policy CP14. However, as indicated above, numerical increases are not the same as proportionality. As such this development only merits limited weight and does not lead me to a different view.
8. I find that the extensions would be sizeable, the scale of which would amount to a disproportionate addition to the original building. It would accordingly amount to inappropriate development in the Green Belt, which is by definition harmful to the Green Belt, a matter to which I attach substantial weight.

Openness

9. The essential characteristics of the Green Belt are their openness and permanence. There would be an increase of built development in this location. The proposal would result in a more sizable building exacerbated by the mass of side and rear extensions with gable roofs. As such there would be a reduction in the openness of the Green Belt, which would represent harm to one of the Green Belt's essential characteristics as outlined in the Framework.
10. There is a visual aspect to openness. Forest Lodge itself is well screened in views from the front by its location on a curve in the road and screening by trees and shrubbery. However, the property is visible from the walking/cycling

routes in the woods opposite and to the rear from where views of the proposed extensions would be obtained. Overall, however I find that the proposal would have a greater visual and spatial impact and diminish the sense of openness of the Green Belt than there is currently. Given, in context, the scale of the proposal, I attach moderate weight to this harm.

Character and Appearance

11. Forest Lodge is sited within the Cannock Chase National Landscape (formerly Cannock Chase Area of Outstanding Natural Beauty)(CCNL). It occupies a corner plot off a busy highway within a verdant and sylvan landscape and lies adjacent to the Forestry Commission's Cannock Chase Forest where there are a number of public footpaths and cycle routes.
12. The proposal would result in sizeable additions to the dwelling adding bulk and scale at the front and rear of the dwelling. This bulk would be exacerbated by the gable roofs which would create further mass and would be prominent features. I accept that the existing garage is already set forward from the main dwelling and that the front projecting gable would be at a lower level to the main ridge line of the dwelling. However, these features in themselves would not mitigate the harm caused by the bulk of the front gable roof feature which would fail to be subservient to the original dwelling. Further the mass of the rear first floor extension with high level contemporary glazing to the rear of the extension would draw further attention to the building, accentuating the adverse visual effect in views from the footpaths and cycle routes within the adjacent woodland.
13. I take into account the existence of projecting gable features in neighbouring properties. However, in this instance the proposed gables would be over dominant and at odds with the simplicity of the horizontal appearance of the original dwelling. Whilst I noted on my site visit, the front projecting gables at Birchwood Manor nearby, I do not have specific details of the full circumstances surrounding this development. The property is however of a much larger scale and in a more spacious, less verdant, plot than Forest Lodge. Further, the existence of development nearby does not justify development which would otherwise be harmful. In this instance the scale and bulk of the appeal proposal would be harmful to its immediate surroundings.
14. I also acknowledge that as a detached dwelling, and due to its positioning and separation distance, Forest Lodge can be distinguished from its other neighbouring terraced properties. However, like the neighbouring properties, it retains a simple form and solid appearance. The alterations as proposed would result in a dominant structure which would be incongruous in its woodland setting and would detract from the scenic landscape found in this location.
15. In making my decision, I have had regard to the purposes of the National Landscape and Paragraph 182 of the Framework which states that great weight should be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Beauty. For the reasons given above, the proposal would fail to preserve the landscape and scenic beauty of the National Landscape.
16. I conclude overall that the proposal would represent a disproportionate addition to the property and as such would amount to inappropriate development in the Green Belt. It would also erode and harm openness and cause harm to the

character and appearance of the host dwelling and the area, which is National Landscape. It would not accord with Cannock Chase Local Plan Policy CP3 which requires, amongst other things, development to be well related to their surroundings. It would also fail to comply with the Council's Design Supplementary Planning Document which requires extensions to be subordinate to the existing building.

Other considerations

17. The proposal would provide additional living space which would be constructed to modern standard improving the energy efficiency of the building. It would also allow for the wider modernisation of the dwelling. However, there may be other ways to achieve these improvements which do not result in the harm I have identified and I therefore give these factors limited weight.
18. I have considered the lack of objections from consultees, including the AONB Partnership. However, this in itself does not indicate a lack of harm arising from the proposal.

Conclusion

19. The proposal would constitute inappropriate development within the Green Belt and would reduce openness in this location, albeit moderate. In addition, the proposal would also have an unacceptably adverse effect on the character and appearance of the host dwelling and the area, which is an area of National Landscape. In accordance with the Framework, I afford substantial weight to the harm caused by reason of inappropriateness and other harm. The other considerations described above do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
20. Accordingly for the reasons given, I hereby dismiss the appeal.

K Winnard

INSPECTOR