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## Appeal Decision

Site visit made on 24 April 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 May 2025

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**Appeal Ref: APP/P4415/D/25/3359447**

**The Croft, Abbey Lane, Slade Hooton, Rotherham S25 1ZQ**

- 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 Mr John Hedger against the decision of Rotherham Metropolitan Borough Council.
  - The application reference is RB2024/1486.
  - The development proposed is a conservatory.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are whether the proposal would amount to inappropriate development within the Green Belt; whether there would be any other harm to the Green Belt; 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 necessary to justify the development.

### Reasons

3. The property lies within the Green Belt. The proposal would result in the addition of a conservatory to the rear of this bungalow. No concerns have been raised with regard to the design of the conservatory or the impact of it on neighbouring residents. The council's only concern is that it would represent, in combination with previous extensions, disproportionate additions to the dwelling and that it would reduce the openness of the Green Belt.
4. Policy CS 4 of the Core Strategy 2014 (CS) advises that land within the Green Belt will be protected from inappropriate development as set out in national planning policy. Policy SP 2 of the Sites and Policies Local Plan document (LP) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It seeks to minimise the impact on the openness of the Green Belt by having particular regard to the size, scale, volume, height, massing, position, lighting and any enclosure. It requires that buildings be well-related to existing buildings and be of a size commensurate with the established functional requirements and reflect the architectural style of the original building.
5. The council's policies generally accord with, or require accord with, the National Planning Policy Framework 2024 (Framework), which sets out national

- planning policy. An extension falls to be considered as a new building for the purposes of the Framework. It advises that a new building should be regarded as inappropriate unless it falls within a specified exception. The relevant exception accepts extensions providing that they do not result in disproportionate additions over and above the size of the original building. Original building is defined as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. This property was built following permission in 1962 and had permission to be extended in 2003 and 2008. The council's report states that the appellant has provided calculations that indicate that the original dwelling had a volume of 215m<sup>3</sup> and the subsequent extensions resulted in a further volume of 122m<sup>3</sup>. The conservatory would add a further 28m<sup>3</sup>. The council calculate that the previous extensions represent a 57% increase in volume and that together with the proposed addition, the increase would represent an almost 70% increase over and above the size of the original dwelling. I have not been provided with the plans relating to the previous permissions or the calculations, but I have no reason to believe that these figures are incorrect.
  7. Neither the Framework nor the council's policies provide numerical guidance as to what represents disproportionate additions. However, it is evident that the side extension and rear extension have already significantly increased the size of the original building. I am mindful that the proposed conservatory would be of a modest size in itself and it would complement the form of the rear extension, with a lower hipped roof that would reduce its perceived scale. It would sit within a generous garden and would replace an area that already includes a raised patio and enclosing wall. It would, on its own, have only a very limited impact on openness. I am also mindful that there is nothing to suggest that the council considered the 57% increase previously accepted to be inappropriate. However, given the scale of the increases in size of the building overall, when considered in combination, I am only able to conclude that the three additions together, would result in disproportionate additions over and above the size of the original building.
  8. As the extensions in combination represent disproportionate additions, it follows that the proposal represents inappropriate development in the Green Belt. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is also clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
  9. The appellant has put forward a number of reasons why the additional accommodation would benefit his family and their ability to provide foster care. The works would also add to the local economy and provide local employment during construction. I afford these considerations significant weight.
  10. The Framework advises 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. Whilst there would not be significant 'other' harm, I am not persuaded that the harm from inappropriateness would be clearly outweighed by the considerations that weigh in favour of the proposal. The considerations do not therefore represent the very special circumstances required to justify the proposal. It therefore conflicts with the Green Belt policies of the Framework. Whilst the position, design and size of

the proposal meet some of the requirements of LP policy SP 2 with regard to limiting the impact on openness, I conclude that it conflicts with the overall requirements and objectives of both that policy and CS policy CS 4. I therefore dismiss the appeal.

*Peter Eggleton*

INSPECTOR