



Appeal Decision

Site visit made on 28 May 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/F1040/D/25/3361436

Sandown House, Woodland Road, Stanton, Swadlincote, Derbyshire DE15 9TN

- 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 and Mrs Shane and Claire Richardson against the decision of South Derbyshire District Council.
 - The application Ref is DMPA/2024/1360.
 - The development proposed is a double storey side extension, a front open porch and decking to the side with steps to the garden.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether the proposal would be inappropriate development in the Green Belt;
 - ii) The impact on the openness of the Green Belt; and
 - iii) If the development is inappropriate, 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

Whether inappropriate in the Green Belt

3. Sandown House is a detached house in the countryside outside of the village of Stanton and in the Green Belt. The proposal would add a 2 storey side extension plus a front porch and raised decking.
4. Paragraph 153 of the National Planning Policy Framework (the Framework) advises that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 explains that development in the Green Belt is inappropriate unless one of the listed exceptions applies. These exceptions include: (c) 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. South Derbyshire Local Plan Part 1 (LP) policy S8 states a presumption against inappropriate development within the Green Belt and confirms that development proposals in the Green Belt will be assessed against national policy.

5. The Council advises that the house has been extended previously, increasing its volume by some 39.7% compared to the original structure. It says that the proposed new extension would take the overall volume increase to some 92.4%. The appellants do not dispute these figures. The proposal would therefore result in a near-doubling of the size of the original dwelling. Although neither the Framework nor the LP provide a definition of the size of extension considered to be 'disproportionate', the cumulative increase here would clearly transform the scale of the original house and would therefore be a disproportionate increase.
6. The proposal would not meet the exception set out at Framework paragraph 154(c) or any of the other listed exceptions. It therefore represents inappropriate development in the Green Belt and conflicts with the above-mentioned policies.

Openness

7. The house sits on sloping land, just above a sewage works and partly surrounded by trees. The site is therefore reasonably well contained visually and the proposal's visual impact on openness would be limited. Taken together with the previous extensions, however, the size increase would have a substantial spatial impact, physically reducing openness. Overall, there would be minor but not insignificant harm to the openness of the Green Belt. This also weighs against the proposal.

Whether very special circumstances exist

8. The Council and the appellants agree that there are extant planning permissions for extensions to the house. These could be built now, adding some 172m³ of volume to the house in comparison to the 252m³ that would be added by the appeal proposal. The appellants suggest that a legal agreement could be provided to ensure that the unimplemented elements of these approvals would not be built. No such legal agreement is before me, however, and I have no details to show the location of those extensions in comparison to the appeal proposal. In these circumstances I must make this decision on the basis that the previous permissions could still be implemented. This would take the cumulative percentage increase even higher.
9. The appellants also refer the possibility that an extension could be built as permitted development without the need for a planning application. This may well be the case, but I have not seen any plans for this, or confirmation from the Council. I place little weight on either of these other options as fall-back positions.
10. The appellants suggest that the proposal would improve the design of the house, by giving the front elevation a greater degree of symmetry. The house as it stands appears to be of good design and proportions, however. I find no particular need for greater symmetry or any other compelling justification for the creation of a second gable. Like the Council I find no objection to the proposal's impact on the local landscape, which is characterised by sporadic development including some large scale industry. The lack of significant harm in these and other respects, such as effects on neighbours' living conditions and biodiversity, is a neutral factor in the balance.
11. I recognise the appellants' reasonable wish to improve their family home. Taking into account all matters raised, however, I find nothing to clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. The very

special circumstances required by Framework paragraph 153 therefore do not exist in this case.

Conclusion

12. I find that the proposal conflicts with the development plan and the Framework. For the reasons set out above, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR