



Appeal Decision

Site visit made on 7 August 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 September 2025

Appeal Ref: APP/C3430/W/25/3360655

Awbridge House, Union Lane, Trysull, Staffordshire, WV5 7JD

- 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 Parvinder Singh Gill against the decision of South Staffordshire District Council.
 - The application Ref is 24/00718/FUL.
 - The development proposed is the demolition of existing detached dwelling house & erection of replacement dwelling house with detached garage.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr Parvinder Singh Gill against South Staffordshire District Council. This application will be the subject of a separate decision.

Main Issues

3. The main issues are: (i) whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; (ii) the effect of the proposal upon the openness of the Green Belt; (iii) the effect of the proposed development on the settings of the Trysull Conservation Area and the Staffordshire and Worcestershire Canal Conservation Area, as well as the setting of the Awbridge Canal Bridge, a Grade II listed building and Scheduled Monument; and (iv) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether the Proposal is Inappropriate Development

4. Policy GB1 of the Council's Core Strategy, December 2012 (the CS) sets out the approach to development within the Green Belt. I am satisfied that the policy is in broad conformity with the Framework.
5. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. One such exception, set out within paragraph 154(d), is the replacement of a building, provided the new building is in the same use and not materially larger than the one

it replaces. It is notable that the Framework does not define what a materially larger building is, and as a result, such matters are left to the discretion of the decision maker. The Green Belt and Open Countryside Supplementary Planning Document, April 2014 (the SPD) does set out that increases in floorspace of between 10 – 20% may be acceptable, while noting that each application must be considered on a case-by-case basis. Moreover, paragraph 3.4 of the SPD makes it clear that off-setting ancillary buildings would not be an acceptable approach to adding bulk or mass to a new building.

6. As part of the appeal scheme before me, the existing two storey house and two garage blocks would be demolished. With the SPD's guidance in mind, it is clear that the floorspace of the proposed dwelling would be much greater than the existing home when considered in isolation, and as such, it would be materially larger. The appellant has noted that planning permission was previously granted to convert and extend one of the existing garage blocks to form a dwelling¹. They have also set out that the development was commenced and therefore that the permission remains extant. In such circumstances, the additional residential floorspace arising from the garage conversion would represent a legitimate consideration.
7. However, even if I were to agree that the permission is extant, and therefore that the increase in residential floorspace as a result of the appeal scheme would be much more limited, I do not consider that this matter is determinative in making my decision. This is because floorspace, while important, is only one consideration when deciding whether or not a replacement building would be materially larger. Furthermore, while visual impact must not be taken into account, such judgements need not be solely concerned with mathematical comparisons.
8. In this instance, the proposed dwelling would be slightly less wide than the existing home. However, its depth would be very substantially greater. As a result of its very significant mass and bulk, it is clear to me that the replacement dwelling would be materially larger than the combination of the existing buildings, including taking account of a converted and extended garage to form a second dwelling. It therefore follows that, irrespective of whether or not the planning permission to convert the garage is taken into account, the appeal scheme must be considered to represent inappropriate development in the Green Belt.

Openness

9. I now turn to the impact upon the openness of the Green Belt. The effect of the proposal on spatial openness would largely be dependent on whether one was to take account of the potential garage conversion and extension to form a dwelling. However, irrespective of that issue, the significantly increased depth of the proposed dwelling would inevitably result in it being perceived as a very substantial mass of built form. Furthermore, the three gables to the front of the property would make it bulkier at roof level than the current property.
10. The sheer size of the proposed home, by way of its substantial depth and footprint, means that it would inevitably be more visually intrusive and prominent than the existing arrangement of buildings, including a potentially extended garage building. The development would therefore impact upon the visual openness of the Green

¹ Council ref: 19/00882/FUL

Belt. However, given that the development only involves one replacement dwelling, I conclude that the harm to the Green Belt overall would be limited.

Heritage

11. The appeal site is adjacent to the Trysull Conservation Area. Its significance is primarily related to the evolution of the village over many years and the architectural tastes of the time. The extent of the Conservation Area includes some of the open fields that surround the village. The proposed development would result in a replacement dwelling that would be significantly greater in mass than the existing home. However, the appeal site is some distance from the main built-up area of the village, and its rural setting would not be affected. I therefore do not consider that its additional bulk would harm the setting of the Conservation Area. I also note that there is no suggestion from the Council that the appearance of the proposed home, in terms of the materials to be used, would in itself be harmful. Based on the evidence before me, I see no reason to disagree.
12. For the same reasons, I am also satisfied that the proposal would not harm the settings of the Staffordshire and Worcestershire Canal Conservation Area or the Awbridge Canal Bridge which are situated to the north east of the appeal site. The significance of these assets arises from the important history of the canal system in this area. The existing home can be glimpsed from the canal and bridge. However, the distance to the appeal site is fairly significant, and the open landscape setting of the canal would be unaltered. As such, the additional mass of the replacement dwelling would not result in harm.
13. I therefore conclude that the proposal would not harm the settings of the designated heritage assets. As a result, it would conform with CS Policy EQ3 which, in part, seeks to protect the significance of such assets.

Other Considerations

14. The appellant has set out that the development would involve the construction of a high quality, well designed home. However, while I do not find that the proposal would be harmful to the character and appearance of the immediate area, I do not consider that it would represent betterment when compared to the appearance of the existing home and associated outbuildings. This matter therefore attracts no weight in my deliberations.
15. The appellant has also noted that the larger home would promote good physical and mental health for elderly relatives who would reside in the property. However, there is no suggestion that the elderly relatives have specific care requirements that should be considered as part of the planning balance. In essence, it seems that the proposal would result in a greater amount of space for the occupiers. However, this is a private benefit which attracts very limited weight.

Conclusion

16. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the harm to the Green Belt, and very special circumstances will not exist unless the harm is clearly outweighed by other considerations.

17. When considered in combination, the weight that I have afforded to the benefits of the proposal do not clearly outweigh the substantial weight that I must apply to the identified harm to Green Belt. As such, very special circumstances do not exist, and for this reason, the proposal is in conflict with CS Policy GB1 and the relevant aspects of the Framework.
18. For the reasons given, the appeal is dismissed.

C Butcher

INSPECTOR