

11.2.2009



Appeal Decision

Site visit made on 14 August 2009

by **Martyn Single DipTP MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.
gsi.gov.uk

Decision date:
4 September 2009

Appeal Ref: APP/C3430/A/09/2103072

The Granary, Horsebrook Hall Lane, Brewood, Staffordshire, ST19 9LP.

- 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 Mrs T Ives against the decision of the South Staffordshire Council.
- The application ref: 08/01220/FUL, dated 11 December 2008, was refused by notice dated 11 February 2009.
- The development proposed is a ground floor rear extension.

Decision

1. I allow the appeal and grant planning permission for a ground floor rear extension at The Granary, Horsebrook Hall Lane, Brewood, Staffordshire, ST19 9LP in accordance with the terms of the application Ref: 08/01220/FUL, dated 11 December 2008, and the plans submitted therewith, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) Before the development commences details of the facing materials to be used for the external elevations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in the approved materials.
 - 3) Before the development commences details of the proposed windows and door shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Preliminary Matter

2. It became apparent during my consideration of the appeal that the postcode of the property given on the Council's refusal of planning permission and, subsequently, the appeal form was not accurate and I have used the correct one in the heading above, as given on the original planning application form. On my site visit, following consideration of the existing first floor window pattern, I was concerned that scheme drawing 'C', in the absence of a cross-section, is not clear with regards to the nature of the first floor window. It appears to show that the first floor room, currently lit by a

traditional window matching others on the rear elevation, would be replaced by a conservation style roof-light flush with the plane of the roof. I have dealt with the proposal on this basis.

Main Issue

3. I consider the main issues in this appeal are:-
- whether the proposal amounts to inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt; and
 - if it would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Planning Policy

4. Current Government policy in respect of Green Belts is set out in Planning Policy Guidance Note 2 *Green Belts* (PPG2), which advises that there is a general presumption against inappropriate development in the Green Belt. Paragraph 3.6 of PPG2 indicates that the extension of a dwelling in the Green Belt would not be inappropriate if the extension did not result in disproportionate additions over and above the size of the original building. It advises that development plans should make clear the approach that local planning authorities will take. Policy GB1 of the South Staffordshire Local Plan adopted in 1996 follows this approach in that the limited extension of existing dwellings in the Green Belt would not be inappropriate.

Reasons

5. The appeal property is a semi-detached barn conversion in a small group of dwellings in open countryside north of Brewood. It is bounded on each side by other dwellings but all of the properties in the settlement are subject to stringent Green Belt policies. The attached property has been extended at the front with a single storey gabled extension, its ridge extending to just below the eaves of the main building.
6. The construction of a limited extension to an existing dwelling in the Green Belt is not inappropriate by definition provided that it would not result in a disproportionate addition over and above the size of the original building. The Council published Supplementary Planning Guidance (SPG) to clarify its approach to determining whether an extension would be disproportionate. The submissions indicate that this was the subject of public consultation and can therefore be afforded substantial weight in my decision. It states that planning applications to extend dwellings will be determined on the basis that the floor area of all extensions will be restricted to a ground floor area not greater than 30% of the original floor area of the dwelling. It follows that extensions exceeding this threshold would be regarded as disproportionate and hence inappropriate and harmful by definition.

7. The submissions of the main parties did not initially provide an indication of the proportionate size increase and I invited further clarification on this matter. Whilst I received no reply from the Council the appellant advised that the percentage increase in area footprint would be just over 19%. I have no reason to doubt that the percentage increase would be around that figure and, this being so, it is apparent that the proposed extension would come well within the Council's own threshold for determining whether an extension would be disproportionate to the original dwelling. On this basis I conclude that it would not represent inappropriate development in the Green Belt in the terms of PPG2 and would not be contrary to Local Plan Policy GB1. It follows that it would not be harmful by definition, and it is not necessary for me to either consider whether it would affect the openness of the Green Belt or for the appellant to demonstrate very special circumstances to justify the development.
8. Turning to whether the proposal would cause any other harm I note that the Council's refusal reason refers to the development not being considered to be appropriate development. This is not an accurate reflection of advice in PPG2, which makes no reference to development being appropriate. I have, however, considered the other Local Plan Policy referred to by the Council, namely C1 and references to it in the SPG. The Policy applies solely to the reuse of rural buildings. Whilst it sets criteria for the conversion it neither sets a presumption against future extensions, as referred to in the Officer's Report, nor does it require very special circumstances to be put forward to negate such a presumption. The SPG seeks to widen the control exercised over subsequent extensions without policy support for such an approach.
9. It is an acceptable approach to control future extensions by the imposition of a condition removing permitted development rights, as was done by condition 6 on the planning permission for the conversion. However, this does no more than bring within planning control extensions that would otherwise be permitted development. Indeed, the purpose of the condition appears to be to exercise control over alterations and extensions that would affect the external appearance of the dwelling and it has been accepted by the Council that this proposal would be acceptable in general design terms.
10. I find nothing in this proposal that would conflict with Local Plan Policy C1. The proposal would not amount to a significant extension and would be acceptable. The Council has suggested conditions in the event of the appeal being successful. I consider these to be necessary to safeguard the appearance of the building and I have imposed these accordingly, with some minor changes of wording.

Martyn Single

INSPECTOR

