



# Appeal Decision

Site visit made on 20 November 2009

by **Claudia Gilbert** MTCP(Hons) 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:  
18 February 2010

## Appeal Ref: APP/C3430/A/09/2110351

### "The Gables", Strawmoor Lane, Oaken, Staffordshire WV8 2HY

- 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 Lorraine Evans against the decision of South Staffordshire Council.
- The application Ref 09/00038/FUL, dated 19 January 2009, was refused by notice dated 17 March 2009.
- The development proposed is a two storey side extension and garage.

## Decision

1. I dismiss the appeal.

## Main issues

2. I consider the main issues to be:
  - (a) whether the proposed development would be inappropriate development in the Green Belt for the purposes of PPG2 and development plan policy;
  - (b) the effect of the proposed development on the openness, character and visual amenity of the Green Belt;
  - (c) the effect of the proposed development on the character and visual amenity of the Green Belt;
  - (d) if the proposal constitutes inappropriate development in the Green Belt, 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.

## Reasons

### *Inappropriate development*

3. Policy GB1 of the South Staffordshire Local Plan identifies that limited extensions to existing dwellings in the Green Belt, as defined by paragraph 3.6 of Planning Policy Guidance Note 2 - Green Belts (PPG 2) would not be inappropriate development. PPG 2 does not define specifically what 'limited' is, noting in paragraph 3.6 that providing a proposal does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings in the Green Belt may not be inappropriate. This is reinforced by Local Plan Policy C4, which notes that the alteration of a dwelling which involves substantial rebuilding and results in disproportionate

additions over and above the size of the original building will not normally be permitted.

4. In addition to this policy, further guidance is provided in the Council's Supplementary Planning Guidance (SPG) - 'Extensions to dwellings in the Green Belt, and extensions to dwellings formed from conversions of rural buildings in the Green Belt'. This restricts the floor area of extensions that would not be inappropriate development, to a ground floor area not greater than 30% of the original floor area of the dwelling. This is not a suitable way of determining whether the proposed extension in the particular circumstances of this case is 'limited' or 'disproportionate' in the terms of the Council's policies GB1 and C4, since the new ground floor element would sit on the footprint of an existing element of the house, and would not cover any new ground. However, the SPG indicates that in certain instances regard should be had to the volume of the extended dwelling in relation to the existing dwelling, as well as the floor area.
5. Several extensions have taken place since the original house and its single detached garage were permitted in 1958, including an additional single garage, the covered walkway, and the conservatory to the rear. Collectively, these have significantly increased the volume of the original dwelling. The proposed extension of the house at first floor would further add to this increase in volume. Taken in aggregate with the existing extensions, the proposed addition would be disproportionate compared to the size of the original building and could not, in my view, be described as a limited extension. It would therefore constitute inappropriate development in the Green Belt. This is, by definition, harmful to the Green Belt and in conflict with PPG2 and Local Plan Policies GB1, C4 and C8. Substantial weight has to be attached to this harm when considering any planning application or appeal.

*Effect on openness*

6. PPG2 makes it clear that the most important attribute of Green Belts is their openness. The proposed extension would add considerable bulk to the side of the house. It would enclose much of the gap which currently exists above the flat roofed element between the existing house and the neighbouring property. This would reduce and consequently harm the openness of the Green Belt in conflict with the intentions of PPG2. I attach significant weight to this harm.

*Effect on character and visual amenity*

7. In addition, the proposed development would be highly visible from the highway, detracting from the Green Belt and the character of the area in conflict with Local Plan Policy BE26. I attach considerable additional weight to the harm to the character and visual amenity of the area.

*Other considerations*

8. I have taken into account that the proposed extension has been reduced in size since the previous scheme was dismissed at appeal and that the appellant considers that the effect on openness would be less significant, maintaining a gap between the existing house and the neighbouring property. However for the reasons explained above I find that this proposal would still be too bulky. I have therefore given this point limited weight.
9. I appreciate that a hipped tiled roof to the garage area may reduce potential maintenance problems associated with a flat roof. This is not however a matter

which could justify an otherwise harmful development in the Green Belt and I therefore attach limited weight to it.

*Conclusion*

10. The proposed extension would be inappropriate development in the Green Belt and PPG2 and I attach substantial weight to such harm. To this must be added further significant weight from the harm to the openness and considerable weight to the harm to the character and visual amenity of the Green Belt due to its scale and mass. I can only attach limited weight to the other considerations cited by the appellant, and consider that individually and together, they do not outweigh the totality of harm. Accordingly, the very special circumstances required to justify the proposed development do not exist.
11. I have had regard to all matters raised but none alter my findings that the proposal would result in significant harm to the Green Belt and would conflict with Local Plan Policies GB1, C4, C8 and BE26 and PPG2. I therefore conclude that the appeal should be dismissed.

*Claudia Gilbert*

INSPECTOR

FIG. 1. THE TEMPLE OF APOLLO AT DELPHI

FIG. 2. THE TEMPLE OF APOLLO AT DELPHI

FIG. 3. THE TEMPLE OF APOLLO AT DELPHI



FIG. 4. THE TEMPLE OF APOLLO AT DELPHI