



# 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

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Decision date:  
21 January 2010

**Appeal Ref: APP/C3430/A/09/2110350**

**Meadow View Cottage, Six Ashes Road, Bobbington, South Staffs DY7 5DT**

- 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 Mr Robert Richardson against the decision of South Staffordshire Council.
- The application Ref 09/00152/FUL, dated 3 March 2009, was refused by notice dated 13 May 2009.
- The development proposed is a single storey rear kitchen extension.

## Decision

1. I dismiss the appeal.

## Main issues

2. I consider the main issues to be:
  - (a) whether the proposal would represent inappropriate development in the Green Belt;
  - (b) the effect of the proposal on the openness of the Green Belt and the purposes of including land in it; and
  - (c) 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

### *Whether inappropriate development*

3. Meadow View Cottage is a substantial detached property situated in a large domestic curtilage within the Green Belt and within a designated Special Landscape Area. It has been extended considerably in the past, according to the Council's calculations, by an additional 169% by floor area. The proposed extension, which would expand the kitchen at ground floor to the rear of the house, would take this increase up to 213% over the floor area of the original dwelling, again using the Council's figures which are not disputed by the appellant.
4. Policy GB1 of the South Staffordshire Local Plan indicates that the construction of new buildings in the Green Belt is inappropriate unless it is for certain specified purposes, one of which is the limited extension, alteration or replacement of existing dwellings. Reference is made to paragraph 3.6 of Planning Policy Guidance: Green Belts (PPG2 (Revised)) which says that

provided it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. Local Plan Policy C4 (part c), which seeks to prevent the alteration of a dwelling in the Green Belt or Open Countryside which involves substantial rebuilding and results in disproportionate additions over and above the size of the original building, is broadly in line with this guidance.

5. 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* provides further clarification in this respect. It states that, subject to conforming with other Local Plan policies, planning applications to extend dwellings within the Green Belt will be determined on the basis that the aggregate 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.
6. When aggregated with the floor area of the previous extensions to the property, the proposed extension would result in a significantly larger building; far exceeding the allowance in the Council's SPG, and clearly disproportionate to the size of the original property. Consequently it would be inappropriate development that is, by definition, harmful to the Green Belt and in conflict with PPG2 and Local Plan Policies GB1 and C4. Substantial weight has to be attached to this harm when considering any planning application or appeal.

#### *Effect on openness*

7. PPG2 makes it clear that the most important attribute of Green Belts is their openness. The proposed extension would sit on the patio area, adding bulk to the rear of the house. This would reduce and consequently harm the openness of the area around the house and the Green Belt in conflict with the intentions of PPG2. Even though the extension would have a relatively small footprint in comparison with that of the existing dwelling, it would still further reduce the openness of the Green Belt and add to the harm by reason of inappropriateness.

#### *Other considerations*

8. I shall now look at whether there are any other considerations sufficient to outweigh the presumption against inappropriate development and its intrinsic harm, and the harm to the openness of the Green Belt, which I have identified above.
9. I acknowledge that the property is in a remote location with hedgerow screening. I accept that the proposed development would be discretely sited and would not be visible from any public place; nor have an impact on any nearby property. I agree that the footprint of the extension would form a relatively small proportion of the total curtilage of Meadow View Cottage which stands in its own extensive grounds, and consequently its overall effect on the openness of the Green Belt would be slight. However, these factors do not add weight in favour of the development or diminish the harm by reason of inappropriateness. Moreover, despite the fairly modest footprint of the proposed extension, it would still introduce permanent built form into a previously open area and so would reduce the openness of the Green Belt.
10. The appellant contends that the existing kitchen is proportionately out of scale in relation to the rest of the house and I appreciate that the extension would help to accommodate the potential future increase in the resident family size. I

acknowledge the appellant's point that it has been shown not to be feasible to extend the kitchen within the present building 'envelope'. However, the property is already of substantial size and clearly does not lack basic facilities. Furthermore, any future conversion to provide a granny annexe is not part of the application which has led to this appeal and is not before me for consideration, and might not be undertaken. Overall, in my judgement the benefits of the proposal in providing additional accommodation can be given only limited weight in this case.

11. The other considerations which have been raised are not, in my view, of sufficient weight to clearly outweigh the substantial harm to the Green Belt by reason of inappropriateness, and the additional slight harm to the openness of the Green Belt, which would be caused if I were to allow this proposal. Consequently, they do not amount to the very special circumstances necessary to justify this inappropriate development. The proposed development would therefore be contrary to the intentions of Local Plan Policies GB1 and C4, the SPG, and to national policy objectives in PPG2.
12. For the reasons given above, and having had regard to all other matters raised, including the appellant's views about permitted development limits, I conclude the appeal should be dismissed.

*Claudia Gilbert*

INSPECTOR

