



Appeal Decision

Site visit made on 9 April 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/C3430/D/23/3331921

Granary Cottage, Dark Lane, Cross Green, Wolverhampton WV10 7PN

- 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 Sutton against the decision of South Staffordshire Council.
 - The application Ref 23/00630/HH, dated 14 July 2023, was refused by notice dated 28 September 2023.
 - The development proposed is extension to provide ground floor lounge and relocated kitchen.
-

Decision

1. The appeal is allowed, and planning permission is granted for an extension to provide ground floor lounge and relocated kitchen at Granary Cottage, Dark Lane, Cross Green, Wolverhampton WV10 7PN in accordance with the terms of the application Ref 23/00630/HH dated 14 July 2023 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Main Issues

2. The main issues are:
 - whether the proposal is inappropriate development within the Green Belt for the purposes of planning policy set out in the Framework and the development plan;
 - the effect on the openness of the Green Belt; and
 - if the development is inappropriate, 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

3. The appeal property is sat in a large site, with a number of outbuildings, and large areas of hardstanding where vehicles are parked. A previous side extension has been granted consent, but the appellant wishes to change the design, including raising the height of the extension from that approved, to accommodate a vaulted ceiling and in the appellants opinion, better complement the existing property.
4. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework lists the types of development that are not considered inappropriate in the Green Belt. These include, for the purposes of the appeal, the extension or alteration of a building provided it does not result in a disproportionate addition over and above the size of the original building, although the Framework does not define "disproportionate" by reference to any size criteria, the Green Belt and Open Countryside Supplementary Planning Document (the SPD) defines "proportionate" as between 20-40% of the original floor area.
5. This document and the Council's policies pre-date the current Framework, and their wording is not wholly consistent with the national approach. This reduces the weight to be afforded the policy and guidance. In any event, the policy confirms that its figures are guidelines rather than rigid limits, conferring a degree of flexibility in their application.
6. Whilst a numerical analysis is a useful starting point, it is evident that the Council applies these guidelines flexibly. This demonstrates the value of considering the visual impact of the proposal alongside a mathematical calculation.
7. In this case, the appeal dwelling is within a large site, but is also seen in the context of other dwellings, some of which have been extended.
8. The proposed extension would be added to the existing side elevation of the host dwelling and would be extension of the building's fabric, it is an extension of the residential use, providing an incidental function within its curtilage, and would be attached to the host dwelling. It is reasonable therefore to consider the appeal scheme as an exception under the Framework.
9. Based on the appeal proposals in front of me, the width and depth of the proposal would appear subordinate to the host dwelling and would be consistent with the appearance of the dwelling. The scale and visual impact of the proposal would not create a building significantly larger or different in character than the original dwelling, in accordance with Policy GB1 of the South Staffordshire Council Core Strategy (2012) (the CS)
10. The Council's assessment of the design merits of the proposal confirms that the proposal would be in keeping with the existing dwelling, and although large, would not be dominant.
11. I therefore conclude that the proposal would not result in a disproportionate addition over and above the size of the original building, and in so doing would not be inappropriate development in the Green Belt. It would not conflict with the Framework and the aims of Policy GB1 of the CS

12. Impact on openness is implicitly taken into account in the exception to inappropriate development specified in the Framework. Having found the proposal to be not inappropriate, no further assessment is required on this point, and no very special circumstances need to be demonstrated to justify the development.

Conditions

13. The Council have stated that the standard conditions should be applied, for timings, matching materials and approved plans. I find no reason to differ from this approach.

Conclusion

14. For the reasons given above, having regard to the development plan and all relevant material considerations, I conclude that the appeal is allowed.

Paul Cooper

INSPECTOR