



Appeal Decision

Site visit made on 3 July 2018

by **Michael Moffoot DipTP MRTPI DipMgt MCMI**

an Inspector appointed by the Secretary of State

Decision date: 9th July 2018

Appeal Ref: APP/F4410/W/18/3199739

Field House Farm, Sticking Lane, Adwick upon Dearne, Doncaster S64 0NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Jason Hughes against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 17/03056/FUL, dated 12 December 2017, was refused by notice dated 12 February 2018.
 - The application sought planning permission for erection of two-storey dwelling without complying with a condition attached to planning permission Ref: 17/00608/FUL dated 22 June 2017.
 - The condition in dispute is No 2 which states: *The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:
Plans and Elevations Ref 16-126 DWG 02 Rev E and Location Plan Rev A 17/5/17.*
 - The reason given for the condition is: *To ensure that the development is carried out in accordance with the application as approved.*
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the disputed condition is necessary and reasonable with reference to national and local policy regarding development in the Green Belt.

Reasons

3. Following the grant of planning permission for the subject dwelling a variation to the approved scheme was granted permission by the Council in November 2017¹. Amongst other things, the revised proposal included a single-storey boot room/utility room/wet room on the west elevation of the dwelling in place of a smaller utility room/WC which formed part of the original permission.
4. The appeal proposal includes the erection of a single-storey farm office and dispensary to the east side of the building. The design and materials would match the approved dwelling. Construction of the new house had not commenced at the time of my site visit.

¹ Council ref: 17/02266/FUL

5. Paragraph 89 of the *National Planning Policy Framework* ('the Framework') establishes that certain forms of development are not inappropriate in the Green Belt. They include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Saved Policy ENV 3 of the *Doncaster Unitary Development Plan* (1998) ('the UDP') contains broadly similar provisions for limited extensions to dwellings in the Green Belt.
6. Having regard to the dwelling originally granted permission, I consider that the approved and proposed extensions would cumulatively comprise significant additions which would be out of proportion with the approved dwelling. Accordingly, the appeal proposal would result in a disproportionate addition over and above the size of the original building and therefore comprises inappropriate development in the Green Belt in conflict with the Framework and UDP Policy ENV 3.
7. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and permanence. Although of relatively modest size compared to the approved dwelling (as extended), the proposed extension would nevertheless result in a reduction in the openness of the Green Belt.
8. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 adds that substantial weight is to be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy CS3 of the *Doncaster Council Core Strategy 2011-2028* (2012) reflects this stance.
9. The appellant has made a number of submissions which I have taken to comprise an argument that very special circumstances exist in this case. It is contended that the proposed extension is necessary to provide secure farm office and animal medication storage facilities which are currently provided in a touring caravan in the farmyard. I acknowledge the benefits arising from the additional floorspace proposed, including the need to provide safe storage for medicines given that the appellant has a large number of children. However, I see no compelling reason why such facilities could not be provided within the approved dwelling, which is a sizeable five-bedroomed property over three floors. These other considerations do not therefore outweigh the harm to the Green Belt that would arise if the appeal were to succeed.
10. I have concluded that the proposal would be inappropriate development in the Green Belt and would reduce the openness of the Green Belt in conflict with the national and local policies I have referred to. No very special circumstances have been advanced to outweigh the general presumption against inappropriate development and the harm to the openness of the Green Belt. Accordingly, the disputed condition is necessary and reasonable and the appeal fails.

Other Matters

11. The Council submits that the resultant dwelling would be "unlikely to be available to an agricultural worker" in the event that the property is disposed of. However, as approved in its amended form this would be a substantial

dwelling and the proposed extension would be a relatively modest addition. There is no compelling evidence before me to demonstrate that the increase in the value of the dwelling as a result of the appeal proposal would render it unattainable by another agricultural worker were the property to be disposed of in the future.

12. Reference is also made to the potential to replace the existing office/dispensary caravan with a permanent building. This is not a matter before me, however, in the context of the appeal.

Conclusion

13. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Michael Moffoot

Inspector