

Appeal Decision

Site visit made on 27 September 2016

by S R G Baird BA(Hons) MRTPI

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

Decision date: 11 October 2016

Appeal Ref: APP/W4223/D/16/3157558

Narrowgate Farm, Fir Lane, Royton OL2 6XU

- 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 P Ludlow against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/338543/16, dated 5 May 2016, was refused by notice dated 4 July 2016.
 - The development proposed is an extension.
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Decision

1. The appeal is allowed and planning permission is granted for an extension at Narrowgate Farm, Fir Lane, Royton OL2 6XU in accordance with the terms of the application, Ref HH/338543/16, dated 5 May 2016, subject to the following conditions:
 - 1) the development hereby permitted shall begin not later than 3 years from the date of this decision;
 - 2) the development hereby permitted shall be carried out in accordance with the approved plans :- Location Plan & Drawing No. 11 A; 11 B; 11 A2; 11 B2; 11D and 11E.

Main Issues

2. Whether the proposal is inappropriate having regard to the National Planning Policy Framework (Framework) and development plan policy and the effect on the character and appearance of the area.

Reasons

Inappropriate Development

3. The appeal site is within the Green Belt where Development Plan¹ Policy 22 says that development will be permitted provided it does not conflict with national policies on the Green Belt. Framework paragraph 87 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Framework paragraph 89, third bullet point, says that the extension or alteration of a building is not regarded as inappropriate development provided it does not result in disproportionate additions over and above the size of the original building. The original building is defined as a building that existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.

¹ Oldham Local Development Framework, Development Plan Document – Joint Core Strategy & Development Management Policies

4. I understand that the appeal dwelling was originally constructed as a barn attached to the farmhouse at Narrowgate Farm. On this basis the appellant submits that the former barn and farmhouse should be regarded as the original building. Section 336 of the above Act defines a building as "...any part of a building..." Here, given the appeal dwelling is occupied separately from the farmhouse and the application red line is drawn to exclude all the other buildings, I consider that for the purposes of assessing proportionality it is appropriate to consider the appellant's house as the "building" for the purposes of this appeal.
5. Neither the Framework nor the development plan contains a definition of disproportionate. Accordingly, in this case whether the proposed extension would be disproportionate and therefore inappropriate development is a matter of planning judgement. The appellant submits that the proposed extension would result in an increase in volume of some 42.5%. The submitted plans do not show the dimensions of the existing dwelling or the proposed extension nor does the Grounds of Appeal contain the calculations on which the appellant's submission is made. In these circumstances, I have no way of verifying the appellant's calculations and I attach no weight to them in coming to my conclusion. For the same reasons, I am unable to verify the dimensions referred to by the Council in the Planning Officer's Delegated Report.
6. In determining whether the extension would constitute a disproportionate extension, I have relied on my professional planning assessment of the proposal and what I saw on my site visit. Notwithstanding the proposed 2-storey extension would run the full width of the existing dwelling, in terms of its scale and mass, it struck me that the extension would appear shallow in relation to the existing dwelling. In these circumstances, I conclude that this proposal would not be a disproportionate extension to the original building and would not be inappropriate development in the Green Belt.
7. Unless there is a specific requirement to consider the actual effect on openness, the impact on openness is implicitly taken into account in the exceptions contained within Framework paragraph 89. The exception contained within the third bullet point of Framework paragraph 89 does not state that an assessment of the effect of a proposal on openness is a determinative factor in assessing whether a scheme would fall to be considered as inappropriate development. Accordingly, here there is no requirement to assess the impact of the extension on the openness of the Green Belt. Similarly, given my conclusion that the proposed extension would not constitute inappropriate development, it is unnecessary for me to consider whether very special circumstances exist to justify the development.

Character and Appearance

8. Relevant development plan policies seek to achieve a high standard of design (Policy 20), avoid an adverse effect on the appearance of the area (Policy 9) and conserve and reinforce the positive aspects and distinctiveness of the surrounding landscape (Policy 21). Here, the design of the proposed extension would be consistent with the original dwelling and the adjoining farmhouse and in terms of its mass and scale would not adversely affect the character of this group of buildings. Whilst the existing group of buildings, particularly their front elevations, are visible at a distance from a limited number of public vantage points the proposed extension would be well screened by existing mature tree

planting in the surrounding area and the buildings that make up Narrowgate Farm including the substantial caravan stage compound on higher ground to the rear. In views from the south and west the extension would be finish in stone to match the existing dwelling and given its scale and mass would appear consistent with the existing group of buildings. Whilst, the rear and south-east facing elevations would be finished in render these elevations would be largely screened from public viewpoints on Fir Lane and Low Crompton Road. Moreover, the use of render is not unusual in this area. The adjoining farmhouse has a single-storey rear extension finished in render and I saw within the wider area several rendered dwellings.

9. The ground floor windows in the front elevation of the appeal dwelling would be replaced by French doors. Whilst these would be replaced the mullion windows on the existing dwelling, it is not clear whether these windows were original features of the former barn or were later additions as part of the conversion to a residential use. In any event the appeal building and the adjoining farmhouse are not Listed Buildings or included within a Conservation Area and it is clear that the window openings in the adjoining farmhouse have undergone significant changes since it was first built. In these circumstances, the proposed alterations to the ground floor window opening would be minor and have limited impact on the appearance and character of this group of dwellings.
10. In light of the above, I conclude that the proposed extension would not have an unacceptable effect on the character and appearance of the area and as such would not conflict with the objectives of the development plan as set out in Policies 9, 20 and 21.

Conditions

11. Given that the existing dwelling is finished in stone and proposed extension would be finished in a mix of materials, i.e. stone and render, it would be inappropriate to impose the model condition relating to the use of matching materials. Moreover, I intend, in the interests of certainty to impose a condition specifying the relevant drawings and the details of the finishing materials are contained on the relevant plans.

Conclusions

12. The proposal would not be a disproportionate extension to the existing dwelling and as such would not be inappropriate development in the Green Belt and would not have an unacceptable effect on the character and appearance of the area. Accordingly, the proposal would not conflict with the objectives of the Framework or the development plan. For these reasons and having taken into account all other matters I conclude that the appeal should be allowed.

George Baird

Inspector