
Appeal Decision

Site visit made on 4 January 2017

by B.S.Rogers BA(Hons) DipTP MRTPI

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

Decision date: 18 January 2017

Appeal Ref: APP/P4225/W/16/3147060

New Gap Farm, Manchester Road, Heywood, OL10 2QD

- 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 Peter Cordwell against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref: 15/01402/FUL, dated 29 November 2015, was refused by notice dated 18 March 2016.
 - The development proposed is the erection of a single storey building comprising four stables, tack room and feed room.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey building comprising four stables, tack room and feed room at New Gap Farm, Manchester Road, Heywood, OL10 2QD in accordance with the terms of the application, Ref: 15/01402/FUL, dated 29 November 2015, and the plans submitted with it subject to the 4 conditions set out in the schedule at the end of this letter.

Main Issues

2. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (NPPF) and relevant development plan policies;
 - ii. the effect on the openness of the Green Belt;
 - iii. the effect on the character and appearance of the area; and
 - iv. if inappropriate, whether the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations.

Reasons

3. The appeal site is within the Green Belt as defined in the Rochdale UDP (2006). Saved Policy D/4 would generally prevent the erection of new buildings in the Green Belt, unless for four identified purposes. The NPPF adopts a broadly similar approach but there are significant differences and, given the advice of paras. 214 and 215 of the NPPF, the NPPF should prevail.
4. The appellant relies on para.89 of the NPPF which lists exceptions to the general rule that the construction of new buildings in the Green Belt should be

considered inappropriate. The 2nd bullet point of para.89 is *"provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it"*. The essential difference from Policy D/4 is that it now refers to *"appropriate"*, rather than *"essential"* facilities. The 3rd bullet point is *"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."* This differs from Policy D/4 in that it now applies to a *"building"*, rather than just a *"dwelling"*.

5. I shall consider the 3rd bullet point first. There are presently 2 buildings at New Gap Farm, a detached house and a recently erected agricultural building, approved retrospectively in 2015. The proposal is to build an 'L' shaped extension to this agricultural building, using matching brickwork with a natural slate roof. The extension would comprise 4 stables, a tack room, a feed store and a central, open archway. Neither the UDP nor the NPPF define what would be considered a disproportionate extension. The only guidance of this nature published by the Council is Supplementary Planning Guidance (SPG) relating to residential development which indicates that, in the Green Belt, permission will not normally be granted for extensions in excess of 30% of the volume of the original dwelling. The current proposal would amount to an increase of some 30.7% over the original building. In my view, the notional 0.7% surplus is not significant.
6. Whilst the above SPG is not designed to be applicable to stables, to my mind, and in the absence of any other guidance, it gives an initial, very broad indication as to what size of extension might be considered proportionate in the Green Belt. More importantly, I note that the proposed extension would have matching eaves heights and a lower ridge height than the existing building and, to that extent, would appear subsidiary in nature. Whilst a similar volume of building could have been provided in a more compact form, its linear shape appears to reflect a common form of stable development.
7. The fact that the extension would be set into the slope of this gently rolling countryside would limit its visual impact and this further leads me to view the proposal as a proportionate extension. There is no explicit requirement in this bullet point to consider the impact on the openness of the Green Belt; that seems to be an implicit part of the consideration of 'proportionate'. To my mind, the proposal meets the terms of the 3rd bullet point and would therefore not be an inappropriate form of development in the Green Belt.
8. I find the design and materials of the proposed building to be characteristic of its farmstead setting. The design is typical of a modestly sized stable block and its scale and relationship to the original agricultural building is acceptable. The intended matching facing brickwork should help achieve a harmonious appearance. As indicated above, it would be to some degree set into the slope of the land and in my view would not appear prominent or obtrusive from those surrounding viewpoints that I was able to access. Accordingly, I find that the proposal would not unduly harm either the character or appearance of the Green Belt.
9. In the light of the above conclusions, there is no need to go on to consider the 2nd bullet point of NPPF para.89. Having found the proposal not to be inappropriate, there is also no need to go on to consider whether the harm by

reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

10. In conclusion, the proposal would not be an inappropriate form of development in the Green Belt and would not unduly harm either the openness or the character and appearance of the Green Belt. Accordingly, the proposal would not conflict with the provisions of the development plan or the more up-to-date advice of the NPPF.

Conditions

11. The Council has suggested 4 conditions in the event that the appeal is allowed. The first is the imposition of the standard time limit. I accept that a condition is needed to specify the drawings to which the permission applies, in the interests of clarity. As I have given weight to the facing brickwork matching that of the existing agricultural building, a condition requiring the exact specification of the proposed facing materials is necessary. Finally, I accept that a condition requiring surface water drainage details to be submitted and implemented is needed to ensure there is no undue increase in surface water run-off and to reduce the risk of flooding.

B.S. Rogers

Inspector

Schedule of 4 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 only in accordance with the following approved plans:- Site Location Plan dwg.no.01553419 and Proposed Floor Plan and Elevations dwg.no.1933.04 Rev.A.
- 3) Notwithstanding any description of materials on the submitted drawings, no development shall commence until samples and/or full specifications of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a surface water drainage scheme based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. For the avoidance of doubt, unless otherwise agreed in writing by the Local Planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.