

Appeal Decision

Site visit made on 31 January 2017

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 20 February 2017

Appeal Ref: APP/A4710/D/16/3161401

West View Cottage, Queens Road, Norwood Green, Halifax, HX3 8RA

- 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 Andrew Marwood against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 16/00172/HSE, dated 9 February 2016, was refused by notice dated 28 July 2016.
 - The development proposed is the construction of a split level single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a split level single storey extension at West View Cottage, Queens Road, Norwood Green, Halifax HX3 8RA in accordance with the terms of the application, Ref 16/00172/HSE, dated 9 February 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 following approved plans: Location and Site Plan, Existing and proposed floor plans, roof plans and elevations Rev D, Hedge Location drawing.
 - 3) 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.

Procedural Matter

2. On the original planning application form the property the subject of this appeal is described as Hillside Cottage, Norwood Green Hill, Norwood Green. This appears to have been an error and all other documentation refers to the property as West View Cottage, Queens Road, Norwood Green. I have therefore used this address in my decision.
 3. The description of the development is stated as a split level single storey extension in the original planning application form. The Appeal Form at Question E repeats this description though I note that the Council in their Decision Notice has referred to the development as a single storey side extension. However the proposal is not single storey as a basement level is proposed. I have therefore referred to the original description in my decision as I consider this better reflects the development proposed.
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Main Issues

4. The main issues in this case are:

- whether or not the development is inappropriate in the Green Belt;
- the effect of the development on the openness of the Green Belt;
- 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 development.

Reasons

5. West View Cottage lies in a prominent location at the junction of Queens Road and Norwood Green Hill in the village of Norwood Green. The house is constructed in stone and render with a slate roof, matching the materials of other dwellings in the locality. The village is located within the Green Belt.

Inappropriate development

6. Saved Policy GNE1 of the Replacement Calderdale Unitary Development Plan (RCUDP) as amended 2009, states that a Green Belt will be maintained around the built up areas. Saved Policy NE7 of the RCUDP concerns development in named village envelopes located in the Green Belt such as Norwood Green. This policy states that extensions of existing buildings will be permitted provided that certain criteria are met including that the development would not detract from the visual amenity of the Green Belt. These policies pre date the National Planning Policy Framework (the Framework) and Saved Policy NE7 in particular is not entirely consistent with it. Accordingly I give greater weight to the Framework in the determination of this appeal.
7. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate. The paragraph goes on to list several exceptions to this which 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. The Framework does not define what is meant by a disproportionate addition and the Council have not brought my attention to any policies of the development plan that provide further guidance on this matter.
8. The appeal proposal provides additional living space at ground floor and also creates a basement level taking advantage of the sloping nature of the site. I am advised by the appellant that the scheme results in a 74% increase in footprint over the original dwelling above ground and 74% below. This would more than double the volume of the existing property.
9. The resultant extension would be very large when compared to the existing house. I consider therefore that the proposal would result in a disproportionate addition to the dwelling which would form inappropriate development in the Green Belt.

Openness

10. The fundamental aim of Green Belt policy, as set out in paragraph 79 of the

Framework is to keep land permanently open.

11. The appeal property occupies a corner position. In terms of the elevation facing Norwood Green Hill there would very little change to the building apart from the provision of a hipped roof and the installation of a roof light. However on the Queens Road frontage there is currently a low stone wall with a mature hedge above. This feature would be removed and replaced by the side elevation of the proposed extension. This would create a built form along this boundary of the site which is currently undeveloped. However the property is not an isolated house but surrounded by other dwellings in the village. Accordingly, whilst the proposal would have an adverse impact on the openness of the Green Belt I consider that due to its context the harm would be limited.

Other considerations

12. Paragraphs 87 and 88 of the Framework advise that inappropriate development in the Green Belt is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 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.
13. It has been brought to my attention that the property had planning permission in 2005, renewed in 2010, for a single storey extension resulting in approximately 80% increase in the floor area of the existing house. Whilst the proposal did not include a basement level, from external viewpoints the development would have been of a similar siting and scale to that proposed in this appeal.
14. The appellant has brought my attention to extensions undertaken at a nearby property on Norwood Green Hill, Chatsworth House. The extension to this house, granted planning permission in 2012 has a greater footprint than the existing dwelling. I have noted the Officer's comments with regard this proposal that because it is located in the village there is more scope for development in the Green Belt.
15. The appellant has argued that an extension to the property would still be in keeping with the size of other neighbouring dwellings. I observed on my site visit that many neighbouring properties form large detached houses, larger than the appeal dwelling. I therefore agree that the extended dwelling would not be out of keeping with the character and appearance of the area.
16. The Framework in paragraph 80 sets out the five purposes of the Green Belt. These include checking the unrestricted sprawl of large built up areas and safeguarding the countryside from encroachment. Having regard to the location of the appeal site within the village boundary, the proposed extension would not conflict with these purposes.
17. Furthermore the extension has been well designed and uses the topography of the site. The Council has raised concern that the extension would be two storey and this would form a dominant feature. However this element of the scheme would only be viewed from within the garden to the house and would

have no impact on the visual amenity of the surrounding area or the Green Belt.

18. Overall I consider that the above factors add significant weight in favour of the scheme. I find that the potential harm to the Green Belt by reason of inappropriateness, and any other harm, including the limited harm I have identified to the openness of the Green Belt, would in this case, be clearly outweighed by other considerations. I therefore consider that the appeal proposal would comply with national Green Belt Policy outlined in the Framework.

Conclusion

19. For the reasons given above and having regard to all other matters raised, I allow this appeal and grant planning permission subject to conditions necessary for the avoidance of doubt, in the interests of proper planning and that seek to safeguard the character and appearance of the area.

Helen Hockenhull

INSPECTOR