

Appeal Decision

Site visit made on 21 February 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 13th March 2017

Appeal Ref: APP/A4710/D/16/3164163

Longley Cottage, Longley Lane, Norland, Sowerby Bridge, HX6 3SA

- 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 T Wood against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 16/01148/HSE, dated 30 August 2016, was refused by notice dated 10 November 2016.
 - The development proposed is erection of garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ("the Framework") and development plan policy;
 - (b) The effect of the proposal on the openness of the Green Belt, and;
 - (c) If the proposal is inappropriate development, 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

Inappropriate development in Green Belt

3. The appeal site contains an existing bungalow that has recently been significantly extended. The development proposes a further domestic extension in the form of a detached garage block located a short distance from the rear of the property.
 4. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. One such exception 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.
-

5. Longley Cottage has already been significantly extended under a previous permission (ref 16/00784/HSE). Whilst the Council does not have a local policy or guidance that specifies what would constitute a 'disproportionate addition', the Framework refers to 'size'. It is therefore appropriate to consider the overall increase in size in terms of volume and external dimensions. In combination with the recent extension, the proposed garage would increase the volume of the property by around 64% (according to the Planning Officers Report). This would be a very significant increase compared to the original building, and the garage would also be located on elevated land. In my view, an increase of this size would represent a disproportionate addition to the original dwelling.
6. My attention has been drawn to 3 recent permissions granted by the Council in relatively close proximity to the appeal site. However, the full details of those cases are not before me. In any case, I have come to my own view on this matter, rather than relying on the approach the Council has taken elsewhere.
7. I conclude that the proposal would be inappropriate development in the Green Belt, which paragraph 87 of the Framework states is harmful by definition and should not be approved except in very special circumstances. The proposal would also be contrary to GNE1 of the Replacement Calderdale Unitary Development Plan (2006) which seeks, amongst other things, to restrain development outside of the urban areas through the general extent of the Green Belt.

Openness

8. The extension would be located on land that currently does not contain a building. The introduction of a detached garage with a significant built footprint and volume would clearly reduce the openness of this part of the Green Belt. The Framework advises at paragraph 79 that openness is an essential characteristic of Green Belts, and the appeal proposal would therefore cause harm in this regard.
9. I conclude that the appeal proposal would fail to preserve the openness of the Green Belt. This would further harm the objectives of the Green Belt to which the Government attaches significant importance.

Other considerations

10. The proposed garage would provide secure storage for a car as well as a general storage facility for the occupants of Longley Cottage. However, this would be solely a private benefit.
11. Whilst the garage would be located within an existing residential curtilage, it would still create a building where one does not currently exist. As set out above, this would have a harmful effect on openness.
12. It is common ground between the parties that the development would not harm the living conditions of any nearby occupiers, and would not harm the setting of the nearby listed building. However, this represents an absence of harm rather than a positive benefit in relation to these matters.

Conclusion

13. The proposal would constitute inappropriate development in Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, the other considerations in this case do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The development would therefore be contrary to Policy GNE1 of the Replacement Calderdale Unitary Development Plan (2006), and guidance contained in the Framework.
14. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR