
Appeal Decision

Site visit made on 11 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 26th April 2017

Appeal Ref: APP/W4223/D/17/3171878

Dolefield Farm, Haw Clough Lane, Greenfield, Oldham OL3 6JH

- 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 James Smith against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/339517/16, dated 9 December 2016, was refused by notice dated 9 February 2017.
 - The development proposed is a part two storey and part single storey rear extension.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues in the appeal are:
 - Whether the proposal is inappropriate development in the Green Belt.
 - The effect on the openness of the Green Belt and the purpose of including land within it.
 - 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

Whether or not inappropriate development

3. The appeal property is located within the designated Green Belt. Paragraph 89 of the National Planning Policy Framework (the Framework) sets out that the construction of new buildings should be regarded as inappropriate in the Green Belt. One 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.
 4. The Council indicate that the appeal property has been subject to previous significant two storey rear extension that resulted in the original floorspace of the dwelling being increased by 43%.
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5. The proposed development would result in the construction of a two storey rear extension that would infill a gap between the original rear façade of the dwelling and the side of the previous two storey rear extension. In addition there would be a single storey rear extension projecting approximately 2m from the existing rear elevation. The Council suggest that these additional extensions would increase the floorspace to 67% from that of the original dwelling. I have no evidence to suggest that the Council's calculation of the floorspace increase may be incorrect.
6. The Framework does not provide any detailed guidance of the size of an extension that may be considered to be disproportionate in relation to the original dwelling. However, given that the previous extensions already amount to a 43% increase in the floorspace of the original building, I agree with the Council that the proposed extension that increases the additional floor space to 67% would be a further 'disproportionate' addition over and above the size of the original building. Consequently, I find that the proposed development would amount to inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness and Green Belt purposes

7. A fundamental aim of Green Belts is to keep land permanently open. An essential characteristic is their permanence. The proposed extension would be at the rear of the building and result in the infill of an area that is currently a hardstanding area which is partly occupied for wood storage. Owing to the hillside location of the property with a steep bank immediately to the rear, the majority of the proposed development would not be visible in wider views of the Green Belt and would be seen in the context of the previous significant rear extension.
8. Given the extent of existing built development at the rear of the property I consider that, overall, the proposed development would have a broadly neutral effect on the openness of the Green Belt.

Other considerations

9. The appellant's case is founded mainly on the assertion that the proposed development is modest in scale, that openness would not be harmed and that there is development taking place to the neighbouring property. I accept that there would be no significant harm to openness and that, in isolation, the proposed extension has been carefully designed to maintain the character and appearance of this existing building.
10. However, a fundamental objective of the Framework with regard to development in the Green Belt is to ensure that extensions do not result in disproportionate additions over and above the size of the original buildings. The proposed development, and the cumulative size of previous extensions to the appeal property, cannot be reasonably considered as modest in the context of the original size of the property. Consequently, I attach limited weight to this consideration.
11. I accept that the proposed extension would be of a design that is in keeping with the remainder of the property. Owing to its position, design and use of constructional materials the proposed extension would not detract from the

character or appearance of the locality. However, this is a neutral aspect of the scheme and not a factor in its favour. Therefore, I attach very little weight to this consideration.

12. Although development may be occurring at other properties in the locality I have no evidence of the nature of this development or the planning circumstances that enables this to be undertaken. Consequently, I cannot be sure that this is representative of the circumstances in this case. In any event I have determined this appeal on its own merits. As such, I attach very little weight to this consideration.

Conclusions

13. The appeal proposal would be inappropriate development that would be harmful to the Green Belt by definition. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Consequently it would, by definition, be harmful to the Green Belt.
14. The Framework indicates that substantial weight should be given to harm to the Green Belt and very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As explained above, I only give limited weight to the material considerations cited in support of the proposal and conclude that, taken together, they do not outweigh the substantial weight to be given to Green Belt harm sufficient to demonstrate very special circumstances.
15. The proposal is therefore contrary to the guidance provided in paragraphs 87 and 88 of the Framework and Policy 22 of the Oldham Development Plan Document – Joint Core Strategy and Development Management Policies (2011). This policy, amongst other things, states that development within the Green Belt will be permitted provided that it does not conflict with national policies on Green Belt. In this case the proposed development clearly conflicts with national policies relating to the Green Belt.
16. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR