

Appeal Decision

Site visit made on 26 June 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 3RD July 2017

Appeal Ref: APP/P4225/D/17/3173627

Harwood Fields Farm, Castle Hill Road, Heywood BL9 6UL

- 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 S Robinson against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 16/01107/HOUS, dated 12 September 2016, was refused by notice dated 11 April 2017.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - whether or not the proposal is inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (the Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - 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 it.

Reasons

Whether inappropriate development

3. Paragraphs 89 and 90 of the Framework set out the forms of development which are not inappropriate within the Green Belt. These 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.
 4. Policy G4 of the *Rochdale Core Strategy (adopted October 2016)* (RCS) states that within the Green Belt development will be restricted to those types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated. Policy G/D/2 of the *Rochdale Borough Unitary Development Plan (adopted June 2006)*
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- (RUDP), which establishes the Green Belt boundary, similarly seeks to protect the Green Belt from inappropriate development as defined by national policies.
5. The Framework does not provide a definition of what constitutes a disproportionate addition. However, Section 5.20 of the *Guidelines and Standards for Residential Development Supplementary Planning Document (adopted June 2016)*, indicates that extensions that result in up to a 35% increase in floorspace or volume over and above the original dwelling would normally be considered appropriate, and not disproportionate.
 6. The appellant has argued that in setting a prescriptive threshold the SPD does not accord with the Framework which requires more flexible policies. However, in the absence of any specific national guidance, it is reasonable for a council to have local policies to establish how guidance will be determined in its specific area. Moreover, the policy does also indicate that as the characteristics of properties and proposals will vary significantly, there is a degree of flexibility in what is considered disproportionate.
 7. The appeal property is already currently being extended by way of extension to the front and rear of the property. The Council have calculated that the proposed side extension, together with these previous extensions, would represent a 57.6% increase in volume. These figures have not been disputed by the appellant. To my mind such an increase in volume can only be considered as a disproportionate addition to the property, and it would be significantly more than the 35% limit for such extensions set out in the SPD.
 8. The appellant has suggested that most Councils which have an advisory threshold for extensions do not include the volume of extensions allowed under permitted development rights in their calculations. As the rear extension on the appeal property is being built under such rights, he has calculated that if it was excluded from the calculation, the volume increase of the front and side extension to this property would be 35%. Be that as it may, both the SPD and the Framework are clear that to be considered not inappropriate any extension, or alteration, of a property should not result in a disproportionate addition over and above the size of the original dwelling¹, not the original dwelling and any extensions allowed by permitted development rights.
 9. It has also been argued that the SPD should be given limited weight as it is not specifically referred to in the reason for refusal. However, the SPD is clearly referred to in the Officer's Report. Furthermore, as its role is to support policies within the development plan, I consider that it is not necessarily imperative for it to be listed in the reason for refusal. Consequently, I consider that it is still a material consideration within the appeal.
 10. In the light of the above, I therefore conclude that the proposal would be inappropriate development, which according to paragraph 87 of the Framework is, by definition, harmful to the Green Belt.

Openness

11. Openness is an essential characteristic of the Green Belt. It can be taken as the absence of buildings and development. As the mass and bulk of the property would be increased by additional built development, the openness of

¹ This is defined as the building as it existed on the 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.

the Green Belt would be reduced. Although in isolation the loss would be minimal, nonetheless, there is a degree of harm arising from this, in addition to that arising from the inappropriate nature of the development.

Other Considerations

12. The appeal property is an attractive stone farmhouse that has a large barn attached to it, which has previously been converted to a number of residential properties. I agree with the Council that the simple architectural form of the original farmhouse, and its attached barn, has already been compromised by the extensions currently under construction to the front and rear of the dwelling. Given this, the proposed extension would not harm the character and appearance of the host property. In addition, as the farmhouse is located within a complex of traditional and modern agricultural buildings, it would not have a significant detrimental visual impact on the wider area.
13. Nevertheless, a lack of harm to the character and appearance of the host property, and the surrounding area, is a neutral factor.

Other matters

14. In support of the appeal my attention has been drawn to an appeal, in a different local authority, where another Inspector allowed an extension to a property despite it being larger than the threshold limit, as it was considered it would not be detrimental to the character and appearance of the countryside which was the aim of the policy. However, as this this appeal was not located within the Green Belt, its circumstances are not directly comparable with those which apply in this appeal. I have in any case, reached my own conclusion on the appeal proposal on the basis of the evidence before me.

Conclusion

15. To conclude, the appeal proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful to the Green Belt. It would also cause harm to the openness of the Green Belt. The Framework requires that substantial weight is given to any harm to the Green Belt. Despite having regard to all the other considerations put before me, I consider that taken together, the factors cited in its favour do not clearly outweigh the harm the scheme would cause. Consequently, very special circumstances do not exist and the proposal would conflict with the Framework, Policy G4 of the RCS and Policy G/D/2 of the RUDP.
16. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Alison Partington

INSPECTOR