



Appeal Decision

Site visit made on 10 October 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 20 October 2017

Appeal Ref: APP/P4225/D/17/3180124
189 Wardle Road, Wardle OL12 9JB

- 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 Molyneux against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 16/01548/HOUS, dated 22 December 2016, was refused by notice dated 26 April 2017.
 - The development proposed is a two storey side extension including construction of a garage at basement level, associated external works to front garden to improve site access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is situated within the Green Belt and therefore the main issues are:
 - i. Whether the proposal would be inappropriate development for the purposes of the development plan and the National Planning Policy Framework (the Framework);
 - ii. The effect of the proposal on the openness of the Green Belt and on the character and appearance of the area; and
 - iii. If the proposal would be 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

3. The appeal property is a two storey detached residential property set within a substantial plot of land. It is constructed of red brick with a slate pitched roof and has been altered over time, including a rear conservatory. I also observed at my site visit that there is a large single storey timber outbuilding within the rear garden.
4. The property is in a prominent elevated position in relation to Wardle Road and is one of a group of detached and semi-detached dwellings built as a ribbon of development along Wardle Road. The adjacent highway is significantly lower than the residential properties and the driveway of No 189 rises steeply up to

the house. In the immediate vicinity of the site there are generous spaces between each detached or pairs of semi-detached properties which provides a spacious and attractive residential environment. I have noted that many of the residential properties in the area have been altered or extended in various ways.

5. To the rear of the site is a large open rear garden beyond which the ground drops into a small valley in which there are a number of public rights of way from which the appeal property is clearly visible, although from certain positions it is partly screened by trees and other vegetation.

Inappropriate development

6. The Framework establishes that new buildings within the Green Belt are inappropriate unless, among other things, it involves the extension or alteration of a building. This is provided that it does not result in disproportionate additions over and above the size of the original building. Policy G4 of the Rochdale Core Strategy Adopted October 2016 (the CS) relates to protecting Green Belt land and sets out that development will be restricted to the types of developments 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 (the UDP) also seeks to protect the Green Belt from inappropriate development and Policy D/4 of the UDP sets out that one exception to development for which approval will not be given is limited extension or alteration of an existing dwelling.
7. However, Policy D/7 of the UDP relating to extensions to residential properties goes on to state that in determining applications for extensions in the Green Belt the Council will need to be satisfied that the extension is of a scale and character which does not conflict with openness and the extension does not result in disproportionate additions over and above the original building, among other objectives. Paragraph 5.19 of the Council's Guidelines and Standards and for Residential Development SPD Adopted June 2016 (the SPD) recognises that different considerations apply to extensions to properties situated in the Green Belt and that normally, in principle, extensions that result in up to a 35 per cent increase in floorspace or volume over and above the original dwelling would be considered to be appropriate and not disproportionate. The guidance goes on to recognise that the characteristics of properties and proposals will vary significantly and therefore there may be cases where an increase of 35 per cent may be disproportionate and other cases where an increase of greater than 35 per cent may be considered to be proportionate.
8. The calculations submitted by the appellant confirm that, excluding the basement garage, the proposal would extend the floorspace of the original dwelling by more than 40 per cent and the volume by more than 45 per cent. Given the elevated position of the property and its prominent position which is clearly visible from Wardle Road and from the rear the proposal which exceeds the volume guidance by more than 10 per cent is excessive even without calculating the additional volume of the basement garage part of the scheme. The appellant contends that the proposal is suitable based on the overall scale of the large plot in which the property is situated, the relatively wide highway frontage and the particular situation of the appeal site within this area of Green

Belt. Consequently, the appellant does not consider that the resultant enlarged property would be out of place in this location.

9. I agree that there is some flexibility in the SPD; however, given the substantial increase in the floorspace, volume and overall size of the original dwelling I am in no doubt that the increase in the size over and above that of the original building would be so great that it falls to be considered as disproportionate.
10. As a consequence, I find that the proposed extension would comprise inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in exceptional circumstances. Therefore, the proposal is contrary to Policy G4 of the CS, Policies G/D/2 and D/7 of the UDP, the SPD and the Framework.

Openness, character and appearance

11. Openness is an essential characteristic of the Green Belt. By significantly increasing the floorspace and volume of the building, the proposal would reduce its openness to some extent which would be harmful.
12. I am mindful that visual impact is implicitly part of the concept of openness and note, in this regard, that the proposed extension would, as a consequence of the relatively open character of the frontage of the property and open wider setting created by the open area to the rear, clearly be noticeable from the approaches along Wardle Road and from the countryside to the rear, including nearby public rights of way and thus would be experienced visually.
13. Moving onto general character and appearance, a quite different concept from the openness of the Green Belt, I consider that, in isolation, the overall design of the proposal would not be out of place. However, the proposal would cause concern with regard to the potential terracing effect. According to the SPD in order to avoid a terracing effect extensions such as the current proposal that would be within one metre of the side boundary of the property will not normally be permitted. According to the submitted drawings the proposal would be less than one metre of the boundary and as such a terracing effect may be created. I have noted that the appellant contends that his land provides sufficient space to build a passage at least one metre wide. However, based on the evidence before me I cannot see how this could be the case. Furthermore, the appellant has suggested that in the event of allowing the appeal a suitably worded condition could be used requiring the provision of a one metre passage alongside the extension. The appeal process should not be used to evolve a scheme and it is important that what I consider is essentially what was considered by the local planning authority and on which interested parties' views were sought. Such a condition would therefore not be suitable.
14. Therefore, without the required space between the proposal and the side boundary and without the required set back from the main frontage of the property I consider that the proposal could result in an undesirable terracing effect. I am aware that the frontage of the existing property is not flat, that the overall design would replicate the traditional front elevation of the property and would not project any further forward than the existing front walls and bays. However, the potential terracing effect would be harmful to the character and appearance of the area.

15. Therefore, the proposal would have a harmful effect on the openness of the Green Belt and on the character and appearance of the area and is contrary to the design requirements of Policy DM1 of the CS and guidance in the SPD.

Other considerations

16. The appellant contends that over the years the Council has not considered the Green Belt in this location to be so sensitive that permitted development rights have been removed and that it is not a vital part of the Green Belt that requires protection other than by the normal development control processes. It is also argued that no application to alter or extend properties in the ribbon of development has been refused because of the Green Belt location. I have no evidence that this is the case. Furthermore, the site is situated in the Green Belt and is afforded appropriate protection by this designation.
17. I also appreciate that other developments may have been permitted in the Green Belt in the past. However, I do not have the specific details of the cases identified by the appellant or the circumstances that led to them being approved. In any case I have determined the current appeal on its own merits having regard to the development plan and other material planning considerations and circumstances, including the relationship between the existing property and others in the surrounding area.
18. It is also argued by the appellant that the proposal will improve the pedestrian and vehicular access to the property and therefore improve highway safety in the locality. Although there may be some improvement I have no evidence that the existing highway conditions in the locality are dangerous and in any case the improvements appear to bring only minimal benefits in this regard.
19. I understand that there would be some benefits to the appellant in terms of ensuring that the property is suitable for the family's needs and improving access and movement around the property.

Conclusions

20. The proposal comprises inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. To be added to that harm is the harm to openness that I have identified and the harm to the character and appearance of the area. Paragraph 88 of the Framework indicates that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist, unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I have considered the other considerations put forward but they do not carry positive weight. I am not persuaded therefore, that the very special circumstances necessary to justify the proposal exist in this case. Accordingly, for the reasons set out above, I conclude on balance that the appeal should not succeed.

Alastair Phillips

INSPECTOR