

Appeal Decision

Site visit made on 9 November 2017

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 29 November 2017

Appeal Ref: APP/W4223/D/17/3180779
Sterling, Castleton Road, Royton, OL2 6XT

- 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 Gore and Mrs Laura Gore against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/339916/17, dated 15 March 2017, was refused by notice dated 9 May 2017.
 - The development proposed is a two storey side extension, remodelling, new windows and rendering of existing property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and the main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (Section 9: Protecting Green Belt land) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt and on the character and appearance of the area;
 - 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 the development.

Reasons

Whether the proposal would be inappropriate development

3. The appeal property, Sterling, is an extended, detached two storey dwelling. It is located within the Oldham Green Belt and is set back from Castleton Road behind a wide grass verge and a parking area. Another, larger detached property is located relatively close to one side of Sterling and the two dwellings sit within an expanse of greenery, being surrounded by large green fields.
 4. During my site visit, I observed the area around Sterling to be notably open, with sweeping, distant views in various directions. The presence of trees,
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hedgerows and occasional planting within and/or close to the site adds to the green and rural qualities of the area.

5. The appeal property, whilst widely extended, appears relatively modest. This is due, in part, to the extensions being low in height and appearing subservient to the original dwelling, which itself is modest in dimension. As such, Sterling does not draw attention to itself, but sits comfortably within its predominantly green and open surroundings.
6. The proposal would greatly extend the overall volume of the appeal property. This would be in addition to the substantial extensions already added to the original property. Even taking into account the proposed demolition of parts of the property, the proposal would result in a total built volume that would be well over double that of the original dwelling. It would result in a building that would be considerably larger and significantly different in appearance to the original dwelling. Taking these factors into account, I find that the changes arising would comprise disproportionate additions over and above the size of the original building.
7. The National Planning Framework considers the extension of a building within the Green Belt not to be inappropriate, provided that it does not result in disproportionate additions over and above the size of the original dwelling. The proposal conflicts with Green Belt policy in this regard and consequently, it would comprise inappropriate development.
8. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness and character and appearance

9. Openness is an essential characteristic of the Green Belt. As identified above, openness is a major attribute of the area. The proposal would greatly increase the built volume of Sterling, leading it to appear as a significantly larger structure. The proposal would, as a result, reduce the openness of the Green Belt, albeit the overall impact of this would be lessened to some extent by the presence of trees, planting and the neighbouring property.
10. The proposal would raise the height of the ground floor extensions to the original property. This would result in Sterling appearing large and bulky. The totality of the proposed development would not appear subservient to the host property but would, rather, overwhelm it and transform the modest appearance of the dwelling.
11. Whilst partly obscured by trees, boundary features and planting, the proposal would result in a building of such scale that it would draw the eye as a dominant feature, including from public viewpoints within the surrounding area, leading it to appear more intrusive in the open and spacious landscape than the existing, modest dwelling.
12. Taking the above into account, I find that the proposal would harm the character and appearance of the area, contrary to the Framework and to UDP¹

¹ Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (2011).

policies 9, 20 and 22, which together amongst other things, seek to protect local character.

Other Considerations

13. The appellants have suggested that potential revisions to the proposal could include a reduction in the height of the pitched roof over the garage and the use of renewable energy options. However, there is no substantive evidence before me to demonstrate that any such changes would address all of the concerns raised above.
14. The appellants consider that the proposal would improve environmental conditions by reducing built footprint, making design improvements to the dwelling as a whole and by improving energy conservation and efficiency through provision of replacement windows, new heating system and insulation.
15. Taking the last point first, I note that there is no evidence to demonstrate that the proposal before me is the only possible way to replace windows, a heating system and insulation.
16. In respect of the reduction in built footprint, resulting from proposed demolitions, I find that any benefits arising from this would be greatly outweighed by the significant increase in built volume proposed.
17. I acknowledge that there are aspects of the proposal that may comprise design improvements. The proposal would, for example, provide for a degree of coherence, particularly through the use of a more uniform material treatment. However, taken as a whole, the proposal would result in a development that would appear unduly dominant and fail to appear subservient to the host dwelling.

Conclusion

18. The proposal would reduce the openness of the Green Belt and this is a factor to which I afford some weight. It would comprise inappropriate development in the Green Belt and the Framework establishes that substantial weight be given to the harm by reason of inappropriateness. The proposal would also harm the character and appearance of the area and I afford considerable weight to this.
19. There are no factors that clearly outweigh the totality of the harm arising – which is the test that has to be met. Consequently, very special circumstances do not exist.
20. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR