



Appeal Decision

Site visit made on 21 October 2019 by Hilary Senior BA(Hons) MCD MRTPI

by Susan Ashworth BA(Hons) BPL MRTPI

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

Decision date: 04 November 2019

Appeal Ref: APP/G4240/D/19/3235237

Ingledeane, Thorncliffe Hall Road, Hollingworth, SK14 8NH

- 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 Miss Hannah Wilcox against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 19/00171/FUL, dated 26 February 2019, was refused by notice dated 5 June 2019.
 - The development proposed is demolition of existing conservatory and garage and construction of a two storey side and rear extension, single storey rear extension with raised patio above, front porch extension and garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

4. The appeal site, which lies within the designated Green Belt, is a previously extended brick-built detached dwelling set in its own grounds, surrounded by open fields with Longdendale Cricket Club directly opposite. It is accessed via a single track road.

5. The proposal includes single and two-storey extensions to the front, side and rear of the host dwelling and would include the demolition of the existing garage and side conservatory. Following the extension, all the elevations would be rendered.
6. The Framework establishes that new buildings in the Green Belt are inappropriate, except in certain circumstances including where they involve an extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building as set out in paragraph 145c. Policy OL2 of the Tameside Unitary Development Plan (2004) seeks to protect the Green Belt by only allowing limited extension, alteration or replacement of existing buildings in line with the Framework.
7. The Framework does not explain what a disproportionate addition means. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning judgement. In this case the original dwelling was modest in terms of its size and appearance. It was enlarged by a two-storey side extension and single-storey conservatory following permission granted in 1990. The extensions now proposed, in addition to those already constructed would more than double the volume of the original dwelling and would significantly increase its floorspace and massing.
8. The main parties have agreed that the proposal would represent inappropriate development in the Green Belt because, in combination with previous extensions, it would constitute a disproportionate addition to the original dwelling. I concur with that position.

Effect on openness

9. The proposal would increase the mass and bulk of the building both at first floor level as a result of the rear and side extension, and at ground floor level though the rear and side extensions. The resultant building would be wider and deeper than the current dwelling and its bulk and massing would be significantly increased. There would also be an increase in the footprint of the building, and I conclude that, as a result of the increase in built form, the proposal would harm the openness of the Green Belt in spatial terms.
10. The appeal property is currently largely screened from the road and public vantage points with a mature hedgerow and trees. In visual terms the effect on openness would be limited. However, the hedgerow is not protected and although it is not currently proposed to remove it, it is not a permanent feature in the landscape. Should the hedge die or be removed then the dwelling would be much more prominent.
11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness and permanence are essential characteristics of the Green Belt. For the above reasons the proposal would cause limited harm to the openness of the Green Belt in addition to harm by reason of being inappropriate.

Other considerations

12. Although it has now expired, 'Prior Notification for a Proposed Larger Home Extension' was recently granted by the Council¹. This meant that a large single-

¹ Application Ref: 18/01097/HHPD

storey rear extension could have been constructed to the property without the need for planning permission. There is no reason for me to consider that if the appellant re-applied for prior approval for a similar scheme, it would not be similarly granted. In addition, a Certificate of Lawful Development has also been granted² for single storey side and rear extensions to the building, an alteration to the roof and the erection of an outbuilding for use as a home gym and store.

13. Should the appeal fail I am satisfied that there is a reasonable prospect that the extensions outlined above would be built. Consequently, these matters represent a viable fallback position. However, the degree of weight to be given to the fallback position depends on whether or not the fallback position would be equally or more harmful than the scheme proposed.
14. The fallback position differs from the appeal proposal in that the form of the development in that case would be restricted to single storey elements, with some limited alteration to the roof. In contrast the two-storey extension proposed in the appeal before me would add considerable mass to the first floor of the building. In addition, the large garage to the side of the dwelling would be considerably more substantial than the existing conservatory and as a result of its scale and materials would be more dominant. Moreover, the volume of the development that would be constructed under the appeal proposal would be greater than the fallback position even if the difference in the footprint of the built form would not be significant.
15. Furthermore, whilst I acknowledge that the proposal would be contained in one building and would be less sprawling than the fallback position, the outbuildings proposed in the fallback position would represent subordinate buildings which would not add to the bulk of the original property. For these reasons the proposal would have a greater impact on openness. Consequently, the appeal proposal would cause greater harm to the Green Belt than the fallback position.
16. No objection has been raised by the Council to the design of the proposal or its effect on the character and appearance of the area and I have no reason to disagree. However, whilst the design of the extensions under the fallback position would be less cohesive, I am unconvinced that they would cause significantly greater harm to the character and appearance of the dwelling or surrounding area than the proposal before me.
17. Consequently, for these reasons considered cumulatively, the fallback position carries limited weight in favour of the proposal.

Conclusion and Recommendation

18. The development constitutes inappropriate development and would cause harm to openness of the Green Belt. Paragraph 144 of the Framework states that substantial weight should be given to this identified harm.
19. As set out above, other considerations put forward in support of the proposal attract limited weight. Consequently, this does not clearly outweigh the substantial harm identified to the Green Belt by reason of its inappropriateness and harm to openness. Therefore, I conclude that the very special circumstances needed to justify the development in the Green Belt have not

² Application Ref: 18/01074/CUPD

been demonstrated. As such the proposal would conflict with the Framework, and Policy OL2 of the Tameside Unitary Development Plan (2004).

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR