
Appeal Decision

Site visit made on 1 December 2020

by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2021

Appeal Ref: APP/A4710/D/20/3258536

Ibbotroyd Cloth House, Walker Lane, Wadsworth, Hebden Bridge HX7 8SJ

- 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 Chris Marsden against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 20/00415/HSE, dated 14 April 2020, was refused by notice dated 12 June 2020.
 - The development proposed is described as first floor cantilevered extension and new terrace over existing single storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - i) whether or not the proposal would be inappropriate development in the Green Belt;
 - ii) the effect upon the openness of the Green Belt;
 - iii) the effect of the development upon the character and appearance of the host building and surrounding area including the setting of the adjacent Grade II listed buildings;
 - iv) 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 development.

Reasons

Whether the proposal is inappropriate development within the Green Belt

3. The National Planning Policy Framework (the Framework) sets out that new buildings within the Green Belt are inappropriate unless, amongst other things, it would involve the extension of a building. This is provided that it does not result in disproportionate additions over and above the size of the original building.
4. There is no definition within the Framework of 'disproportionate' and I note the appellant's submission that the Council does not have a policy that relays a

- percentage increase that they would consider appropriate. The assessment of proportionality is therefore a matter of judgement for the decision maker.
5. The Council detail the planning history of the appeal building which includes an extension to the principal elevation which they submit amounted to a 38% increase in volume. During my site visit I was able to see a large, albeit relatively subtle stone and slate extension that mimicked the simple linear form of the original barn.
 6. The drawings I have before me do not provide an annotation of the height of the proposed extension and therefore it is not possible for me to accurately determine the percentage increase of the current proposal. Nevertheless, I can see from the information I do have that it would represent a significant increase in floorspace which when taken together with the previous addition would amount to a substantial increase over the original building.
 7. Therefore, based upon the evidence before me I find that the cumulative increase in volume that would be created by the proposal when taken together with the previous alternations would result in a disproportionate addition over and above the size of the original building.
 8. The appellant points out that there are many examples of properties within the Calderdale area that have been extended by 100% or more. I do not have any details of such examples so I cannot determine whether the circumstances are comparable to this proposal. Nonetheless, each proposal must be determined on its own merits and the presence of other large extensions in the vicinity or Local Authority area do not outweigh my findings on this main issue.
 9. For these reasons, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with the Green Belt protection aims of Policy GNE1 of the replacement Calderdale Council Unitary Development Plan 2006 (UDP) and the associated policies of the Framework.

Openness

10. Openness is an essential characteristic of the Green Belt and has spatial as well as visual aspects. The appeal property is located in a prominent hillside location with open views to the south and west. Walker Lane passes the eastern elevation of the building at very close proximity and due to a bend in the road at this point, the site of the proposed extension is highly visible in short and long views when travelling towards the property along Walker Lane.
11. The proposal would consist of a relatively large first floor extension that would for the most part sit above an existing single storey extension. There would be a cantilevered element that would project forward of the existing single storey extension by around 2 metres. In this regard whilst there would be a large increase in floor space, the footprint of the building would not increase substantially.
12. Despite the relatively limited increase in footprint, due to its bulk, the use of contrasting materials and its prominent positioning, the proposal would be highly conspicuous. It would infill the existing visual gap between the first floor gable of the appeal property and Walker Road thus reducing the visual and spatial openness. Consequently, I conclude it would lead to moderate harm to

the openness of the Green Belt. This factor weighs somewhat against the proposal.

Character and appearance of the area

13. The appeal property is read as part of a small group of traditional stone and slate farm buildings the primary focal point of which is Ibbotroyd House, a Grade II listed building, which was likely the original 'house' of the farmstead. Immediately to the east and lying perpendicular to Ibbotroyd House is Grade II listed Ibbotroyd Barn.
14. The farmstead setting makes a positive contribution to the significance of the listed buildings extending to include all of the buildings in the group, to the west of Walker Lane, including the appeal building as well as the wider Special Landscape Area (SLA) from which the listed buildings can be seen and appreciated.
15. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
16. Ibbotroyd House is set back from the road and cannot readily be seen in conjunction with the appeal building except from Sandy Gate Lane to the south, where it can be viewed sitting west of the appeal building separated by trees and other built form. However, Ibbotroyd Barn lies immediately adjacent to the appeal site and the proposed extension would by virtue of its scale, proximity and contemporary appearance represent a discordant feature that would jar with the simple architectural detailing of the barn thus harmfully detracting from the setting of the listed building and its contribution to the significance of the heritage asset.
17. In the parlance of Paragraph 196 this harm would be less than substantial and would need to be balanced against any identified public benefits. Neither of the main parties have identified any such benefits but I recognise that there would be some limited, economic benefits associated with the construction process. Nonetheless, given the scale of the proposal, these benefits would be short-lived and would not outweigh the harm to the setting of the heritage asset to which I must afford great weight.
18. In this regard I conclude that the proposal would be contrary to the heritage requirements of Policy BE15 of the replacement UDP and paragraph 193 of the Framework which advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation.
19. Furthermore, whilst I note the appellant's point that there are other modern extensions of contemporary design in the vicinity, I consider that by virtue of its scale and prominence the proposal would represent an intrusive and incongruous feature that would harmfully diminish the character and appearance of the appeal building and the wider SLA. This would be contrary to the character and appearance aims of Policy BE1 of the replacement UDP and Policy NE12 which requires detailed consideration of siting, materials and design in order to protect the SLA against the incremental effect of insensitive

development.

Other considerations

20. Paragraph 143 of the Framework states that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”. It goes on to state that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
21. The proposal would increase the amount of internal living accommodation at the appeal property which would clearly be of private benefit to the residents of the property. In addition, I acknowledge that there would be some economic benefits associated with the construction process although given the scale of the proposal it would be minor and therefore of limited benefit.

Planning Balance and Conclusion

22. I have found that the proposed development would amount to inappropriate development in the Green Belt. In addition, it would have a moderately harmful impact on the openness of the Green Belt and would conflict with Green Belt purposes, namely that of safeguarding the countryside from encroachment. I have also found that the proposal would cause harm to the character and appearance of the appeal building and the surrounding SLA. In turn, there would be less than substantial harm caused to the setting of the Grade II listed buildings which would not be outweighed by any public benefits. I afford significant weight to these matters as part of the determination of this appeal.
23. Against the above, must be balanced the identified other considerations, including the limited economic benefits associated with the construction of the proposal and the private benefits associated with additional living accommodation. On balance, I conclude that the substantial weight to be given to the Green Belt harm and the other identified harm arising from the development, is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances.
24. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Hunter

INSPECTOR