
Appeal Decision

Site visit made on 22 February 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2021

Appeal Ref: APP/Z4718/D/20/3255012

9 Pontey Cottages, Meltham Road, Honley, Holmfirth HD9 6RQ

- 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 Mrs Helen O'Donnell against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/62/94055/W, dated 12 December 2019, was refused by notice dated 7 April 2020.
 - The development proposed is a first floor side extension over existing garage. New pitched roof with raised eaves to existing rear extension. New and altered windows to frontage. Replacement windows throughout.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal has been altered on the Council decision notice. The original description however adequately describes the proposal and I have determined the appeal on this basis.
3. There is nothing within the evidence to suggest that there is any disagreement between the parties in relation to the new and altered windows to the frontage and the replacement windows throughout. I have no reason to disagree.

Main Issues

4. The main issues are:
 - i. whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii. the effect of the proposal on the openness of the Green Belt;
 - iii. the effect of the proposal on the character and appearance of the area; and
 - iv. 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 the development.

Reasons

5. The evidence indicates that the appeal property forms one of a pair of semi-detached dwellings, which were originally three terraced cottages set within fields

to the south west of Honley and accessed by a driveway from Meltham Road. The site is within the Green Belt.

Whether inappropriate development

6. The Framework at paragraph 145 establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate. One exception to this is 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. For the purposes of the assessment of this appeal I am considering the building as that part of the building that relates to the appeal site, the dwelling at 9 Pontey Cottages.
7. Policy LP57 of the Kirklees Local Plan (2019) (KLP) amongst other things relates to the general protection of the Green Belt and extensions or alterations of buildings within it. Policy LP57 is broadly related to the advice on Green Belts within the Framework. It requires that in the case of extensions, the original building should remain dominant both in terms of size and appearance, advising that the cumulative impact of previous extensions and other associated buildings will be taken into account. As such both policies have broad conformity with the Framework and are attributed significant weight.
8. The evidence only contains details of the floor plans as existing and as proposed and does not contain any plans of the original building. However, it indicates that the building has been enlarged through various extensions including a single storey attached garage which projects beyond the side and rear elevations, a one and a half storey rear extension (with cat-slide roof) and a single storey lean-to rear extension. There is also a detached outbuilding to the rear/side.
9. Overall, it is clear that the size of the original building has been significantly increased through the provision of extensions to the side and rear. As a result, the further extensions would add significant height and bulk to the rear and side of the property and significant additional footprint at first floor level. They would dominate the original building when considered cumulatively with those previous and would form disproportionate additions over and above the size of the original building. The development is therefore inappropriate development within the Green Belt under the terms of paragraph 145 of the Framework and would also contravene Policy LP57 of the KLP.

Openness of the green belt

10. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.
11. The extensions would add significant bulk and volume to the property to the side and rear through the addition of a first floor above the existing single storey side/rear element. Bulk and volume would also be added through the incorporation of a wide gable roof which would have a ridge line the same height of the existing dwelling which would replace the existing cat slide roof.
12. The landscape surrounding the property is open, being formed of agricultural fields, punctuated by low stone walls. Given that this is the case, the additions would be publicly visible in medium distance views from both Meltham Road to the north west and Bradshaw Road to the south east.

13. Consequently, there would be a harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the Framework is clear that substantial weight should be given to any harm to the Green Belt. Policy LP57 of the KLP also seeks to maintain the openness of the Green Belt and in this respect, is broadly consistent with the Framework. The development therefore conflicts with this policy in this respect.

Character and appearance of the area

14. The rear extension as a result of its width would dominate the appearance of the rear of the building, while the impact of the extension above the garage would be accentuated by the land levels which fall from south west to north east. When also taking account of the ridgelines of the side and rear extension that would be set at the same height as the main building, the extensions would appear incongruous and fail cumulatively to respect the scale of the host building.
15. The proposal would therefore detract from the character and appearance of the area and would fail to comply with Policy LP24 of the KLP which amongst other things requires that to promote good design, extensions should be subservient to and in keeping with the scale of the original building.

Other considerations

16. When considering what is a disproportionate addition over and above the original building, the Framework refers to size. Therefore, whilst I appreciate that the extensions largely utilise the existing footprint and would utilise appropriate materials, the Council were fully entitled to make their assessment on the basis of the increase in volume that would arise.
17. While similar extensions at other nearby properties have been drawn to my attention, the evidence presented is very limited and I cannot therefore be certain that the circumstances at those sites are the same or similar to the site before me. I have therefore afforded limited weight to this matter.
18. The proposal would improve the internal accommodation and in particular provide additional bathrooms. The appellant indicates that they have sought that the proposal stays within the footprint of the existing building, protects the remaining original frontage and rear elevations from any further loss and follows design guidelines.

Conclusion

19. I have found that the development is inappropriate development within the Green Belt and is harmful to Green Belt openness. It therefore should not be approved except in very special circumstances. I must attach substantial weight to the harm to the Green Belt and as such, the harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
20. For the reasons set out above, and having regard to all other matters, the appeal should be dismissed.

T J Burnham

INSPECTOR