



Appeal Decision

Site visit made on 9 March 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2021

Appeal Ref: APP/Z2315/D/20/3263171

Low Sym, Simsons Lane, Halifax Road, Briercliffe, Burnley, Lancashire BB10 3QY

- 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 Andrew Bottomley against the decision of Burnley Borough Council.
 - The application Ref HOU/2020/0391, dated 29 July 2020, was refused by notice dated 20 October 2020.
 - The development proposed is a garage extension to create a family gym and fitness area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Low Sym is a detached house some 300m or more north of Halifax Road, from which it is accessed by a narrow shared track. Low Sym sits in its own field surrounded by open countryside. The appeal relates to a small area of land at the south west corner of the property, where at the time of my site visit construction of a double garage allowed under an earlier planning permission¹ was underway. The surrounding area is predominantly an open and rural landscape, and the falling away of the land to the north and north west gives the appeal site a visual prominence across a reasonably wide area.
4. The approved garage would measure approximately 7m by 7m, be faced with coursed random stone, have north east and south west facing gables and a pitched roof. The appellant is now seeking permission to add an extension measuring approximately 7m by 7.3m to the north west side of the approved garage to provide a space for a home gym. The extension would match the approved garage in style and appearance, although rather than a stone wall the new north west facing gable would be substantially glazed.
5. The proposed extension would more than double the footprint of the approved garage. Given its siting this would erode the otherwise more open and rural

¹ LPA ref: APP/2018/0433

character of the surrounding area. Furthermore, while I have not been provided with precise measurements it is clear from the submitted drawings that the cumulative footprint of the extended garage would approach that of Low Sym itself, and so it would not appear as subordinate to the main dwelling it is intended to serve. Overall, the development would therefore represent a harmful encroachment of domestic development into the countryside, which would detract from the rural character and appearance of the area.

6. Although the topography would mean that views of the extension from Halifax Road would be restricted, it would be conspicuous when seen from the public footpaths which surround the appeal site, and from the open countryside to the north and west. The scale and siting of the proposal are such that the screening planting proposed under both this and the earlier application would be unlikely to significantly mitigate the visual impact of the extended building. The limited views from the road to the south do not therefore outweigh the need to achieve a well-designed development which is appropriate in scale and form for its landscape context.
7. The appellant has referred to other approved developments in the surrounding area which have in his view changed the appearance of the rural landscape, but no specific examples have been brought to my attention. In any event, each case must be decided on its own merits, and I find that this proposal would cause harm as described above.
8. I conclude that the development would cause significant harm to the character and appearance of the surrounding countryside. The proposal therefore conflicts with Policies NE3, HS5 SP5 of the 2018 Burnley Local Plan, which together seek to ensure that development is well-designed and respects landscape character, and domestic extensions and outbuildings are subordinate to and respectful of the scale of their host building.

Other Matter

9. The appellant expressed concern in his appeal statement about the Council's decision making process, in particular implying that in some way the planning department was prejudiced against the proposal on the basis of previous applications and appeals on the site. No substantive evidence of this was provided, but this would be a matter for the appellant to raise with the Council rather than something for me to address in determining this appeal. I have reached my conclusion based on the planning merits of the proposal, and find that it would cause harm as I have described.

Conclusion

10. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector