



Appeal Decision

Site visit made on 27 June 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2022

Appeal Ref: APP/P4225/D/22/3294297

Saxon Bungalow, Manchester Road, Heywood OL10 2QB

- 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 and Mrs E Osman against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 21/01693/HOUS, dated 30 November 2021, was refused by notice dated 4 February 2022.
 - The development proposed is demolition of existing workshop/store and stables. Construction of new domestic storage building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the development plan and the National Planning Policy Framework (the Framework);
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and
 - If it 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

Whether inappropriate development

3. The appeal site relates to a dormer bungalow which is served by an access track to the east of Manchester Road. There are a detached storage building and a separate stable block to the south of the dwelling and a large paddock to the west. These are situated immediately to the north of the M62 motorway. The site lies within the countryside and the Green Belt.
4. The Framework states that the essential characteristics of Green Belts are their openness and permanence. Saved Policy G/D/2 of the Rochdale Borough Unitary Development Plan (UDP) (2006) states that the Green Belt will be

protected from inappropriate development in order to satisfy the purposes and objectives for Green Belt set out in PPG 2. Policy G4 of the Rochdale Adopted Core Strategy (Core Strategy) (2016) states that development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated. This reflects paragraph 147 of the Framework. Paragraph 149 of the Framework states that construction of new buildings is inappropriate in the Green Belt, subject to certain exceptions.

5. Paragraph 149 c) of the Framework is not relevant as the proposal is so far removed from the dwelling itself that it cannot be regarded as an extension or alteration of a building. The relevant exceptions in this case are Framework paragraph 149 d) which is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, and paragraph 149 g) the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development.
6. The Framework does not define the term 'materially larger'. Consequently, this is a matter to be determined on a case by case basis. The two existing buildings are modest, low profile structures. The proposed building would occupy the footprint of the two buildings and the area between them, which is used for outdoor storage. The appellant says that the floor area of the existing buildings measure about 72m². The floor area of the proposed building would be about 146m², which would represent an increase of about 102%. At 5.3m to the ridge, the proposed building would be significantly higher than the existing buildings that it would replace. Therefore, in terms of floor area and height the proposed storage building would significantly exceed the existing buildings. Consequently, the proposal would be materially larger than the existing buildings.
7. I have taken into account the area between the two existing buildings which is currently used for outdoor storage, including trailers and items covered with tarpaulin. However, the footprint and massing of the proposal mean that it would have a greater impact on openness than the existing development and it would not, therefore, satisfy Framework paragraph 149 g).
8. For the above reasons, notwithstanding that the proposal may have been reduced in size since a previous scheme, I conclude that the proposed development would amount to inappropriate development in the Green Belt. Such development is, by definition, harmful and is contrary to the guidance in paragraphs 147 and 149 of the Framework, Policy G4 of the Core Strategy and saved Policy G/D/2 of the UDP. The resultant harm should be given substantial weight in determining the appeal.

Openness

9. The Framework states that the essential characteristics of Green Belts are their openness and permanence. Openness has both spatial and visual aspects.
10. The proposal would be seen from the access road which serves a small number of properties. The fencing, trees and established hedgerow along the southern boundary of the site would partially screen the proposal from views from the M62 motorway. That would reduce the visibility of the development. Nevertheless, the proposal would introduce additional built form which would

result in some loss of spatial and visual openness. The proposal would conflict with the fundamental aim of keeping land permanently open. Paragraph 148 of the Framework states that substantial weight should be given to any harm to the Green Belt.

Character and appearance

11. Whilst the proposed outbuilding would be a large, utilitarian structure, it would not be widely visible from the public domain other than partial glimpsed views from the M62 motorway and from the access road. Its design and materials, comprising grey metal cladding to the walls and roof, would reflect agricultural buildings typically found in the wider countryside and in this respect would be sympathetic to the character of the area.
12. For these reasons, I consider that the proposal would not cause unacceptable harm to the character and appearance of the area. In this respect it would be consistent with Policies DM1, P1, P2 and P3 of the Core Strategy and the Council's Guidelines and Standards for Residential Development Supplementary Planning Document (2016), which, amongst other things, require new development to achieve high standards of design and protect and enhance the borough's character, including the countryside. The proposal would also comply with the aims of the Framework where it seeks to achieve well-designed places.

Other considerations

13. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
14. The proposal would be used for the storage of a horse box, light goods vehicles, equipment used to maintain the paddock and manage livestock, together with equipment relating to the appellants' business. However, there is no substantive evidence before me to demonstrate the need for a building of the size proposed. I therefore give limited weight to the benefits of the development in this regard.
15. The appellant's fallback position relates to permitted development rights under Part 1, Schedule 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The appellant states that this would enable a building of greater footprint than that now proposed to be built without the need for planning permission. However, I have not been presented with any details of an alternative scheme or a Certificate of Lawfulness to enable me to compare the fallback position to the appeal proposal. The proposal would be significantly higher than any outbuilding erected in this location under permitted development rights. I therefore afford limited weight to the fallback position.
16. The appellant asserts that the appeal site will be enclosed by development on neighbouring Green Belt land which is shown as being allocated for development in the draft Site Allocations Plan. Part of that land to the north and west of the appeal site benefits from outline planning permission for a mixed use development¹. Notwithstanding this, the appeal site would remain

¹ Council ref 16/01399/HYBR

part of a swathe of land beyond the neighbouring site which would continue to serve the purposes of Green Belt, including to check the unrestricted sprawl of large built-up areas and assist in safeguarding the countryside from encroachment. I have given this matter little weight. It is put to me that there is no logical reason not to include the appeal site in the allocation for the neighbouring land. However, this matter is outside the remit of this decision.

17. It is argued that the replacement of the existing buildings with the proposal would result in a significant improvement to visual amenity. However, the existing modest buildings and area of outside storage are relatively inconspicuous and do not unduly detract from their surroundings. Any enhancement to the character and appearance of the area would be very modest. I therefore give this matter limited weight.
18. The proposal would not be harmful to the character and appearance of the area and no objections have been received from interested parties. However, this does not reduce the harm the proposal would cause to the Green Belt.

Conclusion

19. In conclusion, I have found that the proposal would be inappropriate development in the Green Belt. It would also harm the openness of the Green Belt. I have given only limited weight to the other considerations in favour of the proposal, and conclude that, taken together, they do not clearly outweigh the harm that the proposal would cause. Consequently, there are not the very special circumstances necessary to justify inappropriate development in the Green Belt. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR