



Appeal Decision

Site visit made on 3 October 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2022

Appeal Ref: APP/B2355/D/22/3298931

Aitken Barn, Meadow Park, Lumb Village BL0 0QR

- 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 Simon Grandidge against the decision of Rossendale Borough Council.
 - The application Ref 2022/0128, dated 6 March 2022, was refused by notice dated 12 May 2022.
 - The development proposed is a detached garden and cycle store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - 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 found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and if so, whether this amounts to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. This appeal concerns a detached building which would be used as a cycle and garden store. It would be sited within the garden of a building which has recently been granted planning permission for the conversion to a dwelling.
4. Policy SD2 of the Rossendale Local Plan 2019 to 2036 (December 2021) (the LP) concerns urban boundaries and the Green Belt, particularly changes to the Green Belt boundary. Whilst it does not set out specific criteria for development in the Green Belt, its general aim is to focus new development within the urban boundary, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area.

5. The broad aim of this Policy is generally consistent with the approach set out in the National Planning Policy Framework (the Framework), which is the most up to date expression of national Green Belt policy. The Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate development in the Green Belt subject to a number of exceptions as set out in paragraph 149 of the Framework.
6. One such exception, at paragraph 149 c) 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. The Framework does not define what a disproportionate addition means however the Alterations and Extensions to Residential Properties, A Supplementary Planning Document (June 2008) (the SPD) provides additional guidance. The SPD advises that extensions should not normally exceed 30% of the volume of the original dwelling.
7. The main parties disagree over the volume increase to the original building. However, even using the appellant's lower figure, which I note omits part of the proposed building, it is clear that the proposal is considerably above the recommended 30% figure when taking into consideration the previously approved development at the host building. This additional volume, along with the proposal's overall bulk and massing, would undoubtedly result in a disproportionate addition to the original building and thus the proposal would constitute inappropriate development in the Green Belt.
8. I note the appellant's concern that the proposal cannot be considered an extension to the building given its detached siting. I do not know the full circumstances of the appeal decision provided¹, namely the distance of the proposed gates from the host building. I cannot therefore determine that this example is directly comparable to the appeal proposal.
9. Nevertheless, the proposal would comprise a normal domestic adjunct to the host building given its use as a store for bicycles and general garden products. Additionally, whilst physically detached from the host building, it would be sited relatively close to the property within the garden area. Therefore, in this instance, it can be considered an extension under paragraph 149 c) of the Framework.
10. As the proposal is for a domestic building and use, it is not considered to provide facilities for outdoor recreation or local transport infrastructure. Nor does it constitute limited infilling or the partial or complete redevelopment of previously developed land. Regardless, even if I were to consider this proposal against paragraphs 149 b) or g), or 150 c) of the Framework, consideration would also have to be given to the effect of the proposal on the openness of the Green Belt. It is to this matter which I now turn, given my findings in paragraph 7 above.

Openness of the Green Belt

11. Paragraph 137 of the Framework states that 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

¹ Appeal Ref: APP/P2365/D/19/3233166

permanence. When applying the concept of openness to the particular facts of a case, a number of factors are capable of being relevant. For the purposes of this appeal, I have considered both the visual and spatial aspects of openness.

12. The proposal would be a large, bulky addition which would be sited in a part of the garden which is currently free from development and would be readily visible from the public realm. Therefore, in visual and spatial terms the proposal would result in moderate harm to the openness of the Green Belt, in that it would be reduced and thus not preserved.

Character and appearance

13. The appeal site is located in an area with a distinctive rural quality created by the tight knit cluster of predominantly stone built, characterful properties surrounded by countryside. The host building and the property immediately opposite are single storey and modest in massing and appearance.
14. To the contrary, the proposed store would be of a substantial size in comparison to the host dwelling and it would occupy a noticeably detached position. Despite its siting at a lower level than the highway, it would nevertheless be in a prominent, roadside position and the majority of the proposal would be visible from public vantage points. As such, combined with its scale, the proposal would be a readily apparent and intrusive feature in the street scene. Whilst the choice of materials may be of a high quality and used elsewhere in the locality, they would fail to overcome the proposal's obtrusive scale and siting.
15. Accordingly, the proposal would result in moderate harm to the character and appearance of the area and would conflict with Policies SD2, ENV1 and ENV3 of the LP and paragraphs 130 and 174 of the Framework. Collectively these policies and guidance seek to ensure that developments take account of, protect and enhance the distinctive character and appearance of the local area.

Other Considerations

16. I note the planning condition imposed on the previous approval for the conversion and extension of the building which required the provision of a secure, covered cycle store prior to the first occupation of the dwelling. Be that as it may, the appeal site is large and there is nothing to suggest that the required cycle store, which could be of an alternative size, mass and design, could not be positioned elsewhere within the site. I therefore afford this matter limited weight.

Whether very special circumstances exist

17. Paragraph 148 of the Framework states that substantial weight should be 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, is clearly outweighed by other considerations.
18. The proposal would constitute inappropriate development in the Green Belt and would cause moderate harm to its openness. I afford this Green Belt harm substantial weight. The proposal would also result in harm to the character and appearance of the area. Therefore, the advanced consideration in support of the appeal does not clearly outweigh the harm I have identified.

19. Consequently, the very special circumstances necessary to justify the proposal do not exist thus the proposal would fail to accord with the Green Belt aims set out in Policy SD2 of the LP and the Framework.

Other Matter

20. I note that there is a nearby listed building and that the site is located opposite the listed railway viaduct. However, in light of my decision on the appeal overall, no harm to the significance of these heritage assets would arise.

Conclusion

21. The proposal conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, that indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison
INSPECTOR