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# 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: 25<sup>th</sup> October 2022**

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**Appeal Ref: APP/B2355/W/22/3298593**

**Higher Red Lees Bungalow, Helmshore Road, Holcombe, Bury BL8 4PE**

- 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 & Mrs Rob and Grace Crosbie against the decision of Rossendale Borough Council.
  - The application Ref 2021/0686, dated 7 December 2021, was refused by notice dated 3 May 2022.
  - The development proposed is the demolition of existing dwelling and replacement with new dwelling.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appellant has clarified that the site address in the banner heading above is the most accurate and should be used within this decision.
3. Policy HS10 of the Rossendale Local Plan 2019 to 2036 (December 2021) (the LP) was omitted from the reasons for refusal set out in the Council's decision notice. However, within its statement of case, the Council confirmed that this was an error. I note that reference was made to LP Policy HS10 within the Council's officer report therefore the appellant was aware of its relevance to the appeal proposal. Indeed, commentary was provided within their evidence. As such, no party would be prejudiced by my consideration of this appeal against this policy, thus I have proceeded accordingly.

## Main Issue

4. The effect of the proposal on the character and appearance of the area.

## Reasons

5. The appeal site is located within an area characterised by vast expanses of sweeping moorlands, pastures and valleys. Built form in the locality is of varying design but, overall, it tends to be of limited scale and of a scattered arrangement. The area therefore has a strong rural and open countryside character.
6. The existing dwelling is a very modest bungalow of limited height and footprint. Whilst sited on notably higher land than the adjoining highway, its overall restricted size and the existing mature vegetation significantly limit views of it from public vantage points. As such, it does not detract from its rural environs.

7. Policy HS10 of the LP sets out criteria which the replacement of dwellings should satisfy. Amongst other things, it states that replacement dwellings in the countryside should not detract from the openness to a greater extent than the original dwelling and it should not be materially larger than the dwelling it replaces.
8. The LP does not define the term materially larger however I note that the proposed increase in volume would adhere to the 30% figure recommended in the Alterations and Extensions to Residential Properties, Supplementary Planning Document (June 2008). Regardless, this is a guideline, which I note relates to extensions, and determining whether a proposal would be materially larger is a matter of planning judgement with a number of factors, in addition to volume, capable of being relevant.
9. The proposed replacement dwelling would have a greater height than the existing bungalow. Whilst the overall difference between ridge levels may be somewhat limited, the roof of the existing dwelling is simple in form, with a very low eaves height and a limited proportion of the roof is at its maximum ridge level.
10. To the contrary, the proposal is for a substantial two storey dwellinghouse with forward projecting, pitched gables. Despite its cat-slide roof element, the majority of the eaves would be at a considerably elevated height given the scale of the proposal. The proposed roof form along with the prominent elevations would visually give the proposal a far greater overall height. The proposed dwelling would also have a greater footprint than the existing. Collectively, these matters would result in a significantly greater bulk of built form at the appeal site. Overall, the proposal would clearly be a sizeable increase above the existing modest bungalow and thus it would be materially larger.
11. Whilst an innovative design may be appropriate elsewhere and is supported by the Government, the overall design, scale and massing of this proposal would cause the proposed dwelling to appear as an obtrusive and starkly modern addition. Given its prominent, raised position above the highway, its uncharacteristic scale, massing and design would be readily apparent. It would therefore fail to reflect or be sympathetic towards the rural character of the area and would result in a loss of openness in this locality. The existing and proposed landscaping would fail to prevent all views of the replacement dwelling or reduce the uncharacteristic bulk of the proposal.
12. My attention has been drawn to an example on Goodshawfold Road. The details before me are extremely limited, however I note that it is in an entirely different context to the appeal site in that it is within a more built-up area, with other properties within close proximity which appear to be of differing designs. Indeed, the appellant also acknowledges that this example was not for a replacement dwelling. The circumstances surrounding that approval are not therefore directly comparable and thus I afford it limited weight.
13. Taking all the above into consideration, the proposal would result in harm to the character and appearance of the area. It would therefore conflict with Policies SD2, ENV1, ENV3 and HS10 of the LP in their collective aim to take account of and enhance the character of the area. It would also fail to accord with sections 12 and 15 of the Framework, namely paragraphs 130 and 174,

which seek to ensure that developments are sympathetic to and protect the character of the countryside.

### **Other Matters**

14. The appellant makes reference to paragraph 149 of the Framework which specifically concerns development within the Green Belt. This is not of relevance to this appeal as the site does not fall within the Green Belt.
15. The Council's handling of the planning application is not a matter for me within the context of this appeal.

### **Conclusion**

16. I note that the proposal may be built to modern accessibility standards and may be more sustainable than the existing dwelling. However, there is nothing to suggest that this is above any requirements set out in the development plan therefore I afford this matter limited weight. Furthermore, I am unconvinced that any benefits in this regard could not be achieved with a more appropriate development or that the existing dwelling could not be updated in a similar manner.
17. Accordingly, the proposal conflicts with the development plan as a whole and there are no material considerations which indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

*H Ellison*

INSPECTOR