



Appeal Decisions

Site visit made on 3 May 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Ref: APP/N4205/W/22/3308746

Isherwood Fold Barn Brookfold Lane, BOLTON, BL2 4LT

- 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 Anthony Whittle against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 12743/21, dated 1 December 2021, was refused by notice dated 29 September 2022.
 - The development proposed is two storey extensions at side and rear.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site is within the Green Belt, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. Paragraph 147 of the National Planning Policy Framework (the Framework) indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be allowed except in very special circumstances. Policy CG7AP of the Bolton Allocations Plan 2014 (Local Plan) sets out a similar approach.
3. Framework paragraph 149 says that new buildings should be regarded as inappropriate in the Green Belt, except in a number of specific circumstances. Paragraph 149c) and Policy CG7AP both allow for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original dwelling.
4. The appellant has not disputed the Council's assertion that, in combination with the existing conservatory, the proposed extension would result in an overall increase in volume of some 185%, over and above the original dwelling. Given the scale of the volumetric increase proposed, I agree that, for the purposes of Framework paragraph 149c) and Policy CG7AP, the proposed extension would constitute a disproportionate addition to the original building.

Main Issues

5. There is no disagreement that the proposal would be inappropriate development in the Green Belt, but it is also necessary to consider whether there would be any harm to openness.
6. The main issues are, therefore:
 - the effect of the proposal on the openness of the Green Belt,

- the effect on the character and appearance of the area, and
- 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 it.

Reasons

Green Belt openness

7. The appeal site is located in an area of upland countryside. Although not far from the town of Bolton, built development in the surrounding area is sparse, comprising of small clusters of barns and dwellings.
8. The appeal property is accessed from Brookfold Lane. This narrow track is very quiet in terms of vehicular traffic, but is also used for recreational purposes, forming part of the local footpath network.
9. Isherwood Fold Barn is a two-storey stone house, with a slate roof and garden room/conservatory to the side. It is clearly visible when ascending Brookfold Lane, from where the property has the appearance of a converted barn.
10. The proposed addition of a double height extension along the existing long rear elevation would significantly increase the bulk and mass of the dwelling. When travelling up Brookfold Lane from the south-west, the long front elevation of the dwelling is readily visible on the skyline. The proposed two storey addition would have the effect of elongating the house even further, with a continuation of the main roofline. This would be clearly apparent from the lane, limiting views of the trees and sky beyond.
11. The proposed development would be clearly understood as an extension to an existing building and would not protrude beyond the existing domestic curtilage. Even so, the extension would lead to a notable increase in built form on the site. As a result, the proposal would erode Green Belt openness, in both visual and spatial terms. That said, the effect would be limited in extent, and the amount of harm would be modest.

Character and appearance

12. The existing house, which is visible from the lane and nearby footpaths, has the appearance of a modest rural barn which sits comfortably in its hillside setting.
13. Paragraph 3.1 of the House Extensions Supplementary Planning Document 2012 (SPD) states that a well-designed extension should be subordinate in relation to the dwelling, and of a size and scale which is in proportion to the existing house.
14. In this case, the existing and proposed extensions would almost double the size of the original dwelling. The proposed two storey addition would continue the main roofline, would not appear subordinate. Rather, it would be overly large, and out of scale in relation to the existing house.
15. The proposed extension would be set back from the Brookfold Lane frontage, and would be sited along the rear elevation of the dwelling. Nonetheless, the extended dwelling would be readily visible from the lane below, as described above.

16. The extension would be constructed of materials to match that of the existing property, but the scale of the addition, and the large amount of glazing proposed, would significantly alter the character of the property. As a result of the proposals, the property would start to resemble a substantial house, rather than a country barn. The extension would cause harm to the character and appearance of the host dwelling, and in turn, to the wider rural area.
17. The proposal would conflict with Policy CG3 of Bolton's Core Strategy 2011, which requires that proposals conserve and enhance local distinctiveness, having regard to the overall building character and landscape quality of the area. There would be further conflict with Core Strategy Policy OA5, which says that development in North Bolton should conserve and enhance the character of the exiting physical environment, with particular attention given to the massing of new development.

Other considerations

18. Both parties have referred to application ref 87777/12, under which planning permission was granted for extensions at neighbouring Asmus Farm in May 2012. According to the Council, combined extensions at Asmus Farm resulted in a volumetric increase of 183% over and above the original dwelling. This is comparable to the proposals at Isherwood Fold Barn.
19. As caselaw reminds us¹, consistency is an important factor in ensuring fairness in decision making. Asmus Farm is very close to the appeal property, but in considering whether the extensions at that property provide a precedent which should be taken into account in the current appeal, it is also necessary to consider the specific circumstances of each case, and whether they are similar.
20. I have been provided with very little information about the developments at Asmus Farm. However, it does appear that there were other circumstances which were taken into account in the Council's determination of application 87777/12. Specifically, I note the Council comment that, prior to the 2012 approval, permission had previously been granted for the re-siting of the farmhouse at Asmus, with an extension of a similar scale to that subsequently permitted.
21. It is unclear as to what, if any, justification there might have been to enlarge the farmhouse at Asmus to such an extent. However, in the absence of further information to the contrary, I am unable to conclude that there are no discernible differences between the cases. On the basis of the information provided, the previous development at the neighbouring property does not provide a reason to allow the appeal proposal, despite its close proximity.

Green Belt balance and conclusion

22. The proposed extension would be accommodated within the existing curtilage and would not encroach into the countryside. Nonetheless, as it would be a disproportionate addition to the original dwelling, the proposed extension would be inappropriate development in the Green Belt. The proposed development would also reduce openness, albeit by a small amount, and there would be modest harm to the character and appearance of the area.

¹ Guildford Borough Council v SoS [2009] EWHC 3531 (Admin)

23. Framework paragraph 148 advises that in considering any planning application, substantial weight should be given to any harm to the Green Belt. In this case, the other considerations do not clearly outweigh this harm. As such, the very special circumstances necessary to justify the scheme do not exist. The appeal is therefore dismissed.

R Morgan

INSPECTOR