



Appeal Decision

Site visit made on 4 December 2023

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2023

Appeal Ref: APP/A4710/D/23/3326792

Pike Farm, Pike End Road, Rishworth, Sowerby Bridge HX6 4QS

- 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 Ms Carris Simm against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/00093/HSE, dated 26 January 2022, was refused by notice dated 12 May 2023.
 - The development proposed was originally described as farmhouse remodel and extension.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

Preliminary Matters

3. The description of development in the heading above has been taken from the application form. Prior to the determination of the planning application the scheme was amended. The Council dealt with the proposal on this basis and so shall I.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt.
 - The effect of the proposal on the character and appearance of the host dwelling and surrounding area.
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The proposal seeks to extend an existing two-storey dwelling. Paragraph 149 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension to a building will not be inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. This is also reflected in Policy GB1 of the Calderdale Local Plan (2023) (LP).
6. Neither the Framework or LP specify what might be considered a disproportionate addition over and above the size of the original building. The Framework sets out that original building is defined as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
7. The appellant has highlighted that a two-storey rear extension was approved in 1984¹, but this has not been implemented and there are no publicly available documents regarding this scheme. The dwelling has a single storey double garage. It is not clear when this garage was built, and the appellant's case does not provide any details regarding the garage. Without any substantive evidence to the contrary, I consider that the garage was built after 1 July 1948 and did not form part of the original building.
8. The proposal would add a large part single-storey, part two-storey rear extension. Given the height, depth, and width of the extension, in relation to the original building, the proposal would result in a significant increase in the scale and massing of the dwelling compared to the original building. Based on the evidence presented, having regard to the increase in volume, scale and massing, the proposed development, when taken in combination with previous additions, would result in disproportionate additions over and above the size of the original building.
9. The scheme includes the demolition and removal of two single storey outbuildings. Even when taking into account the removal of the outbuildings, having regard to the extension's height, depth, and width in comparison to the outbuildings, as well as the increase in volume taken in combination with previous additions, the scheme would result in disproportionate additions over and above the size of the original building.
10. Consequently, for the reasons given above, the proposal would not fall under any of the exceptions listed in the Framework and LP Policy GB1. The development would therefore be inappropriate development in the Green Belt having regard to chapter 13 of the Framework and LP Policy GB1.

Openness

11. Paragraph 137 of the Framework states that the 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 permanence.
12. The extension would have a spatial impact because of the increase in built development, and would add to the cumulative bulk, scale, and massing of the dwelling. The extension (in particular the two-storey element) would be visible from Pike End Road. This is as the dwelling is adjacent to Pike End Road and as

¹ 84/01924/FUL

a result of the extension's height, bulk, scale, massing, and siting. Thus, the proposal would also have a visual impact on the openness of the Green Belt.

13. The proposed extension would have a greater impact on the openness of the Green Belt compared to the outbuildings proposed to be removed. This is due to the extension's height, scale and massing in comparison to the modest single storey outbuildings.
14. Consequently, the development would, visually and spatially, not preserve the openness of the Green Belt. As such, the proposal would conflict with the fundamental aim of Green Belt policy, as stated in the Framework, to keep land permanently open.

Character and appearance

15. The dwelling has a simple design and is constructed of stone with a slate roof. The dwelling's vernacular reflects the nature of the historic farmhouse. The dwelling is located within a Special Landscape Area (SLA) and forms part of a small group of buildings set within attractive moorland landscape. The surrounding area is sparsely developed and characterised by primarily moorland and grass fields enclosed by low stone walls, trees and vegetation.
16. The proposal would introduce a large extension. The combination of the large central gable feature, large flat roof element, large areas of glazing and balcony balustrade, would harmfully contrast with the dwelling's simple and vernacular form of the dwelling.
17. Existing trees and other vegetation would provide some screening of the extension. However, as a result of the dwelling's proximity to the road, the extension would be a dominant addition when viewed from this part of Pike End Road, especially in winter months when trees are not in leaf.
18. Consequently, due to the siting, size, design, form and massing of the extension, the proposed development would result in an unsympathetic addition which would poorly relate to the form and design of the host dwelling. Thus, the proposed extension would fail to respect or enhance the character and appearance of the existing building and its surroundings, and would fail to protect or enhance the landscape quality of the SLA.
19. For these reasons, the proposal would cause harm to the character and appearance of the host dwelling and surrounding area. Accordingly, the proposal would conflict with LP Policies BT1 and GN4. These seek to ensure that the proposed design respects or enhances the character and appearance of the existing building and its surroundings. Furthermore, proposals for development within the SLA should be carefully designed to ensure they are in keeping with their location in the SLA in terms of height, massing, scale, form, siting and materials. In addition, it would conflict with chapter 12 of the Framework which promotes good design, and seeks to ensure developments are visually attractive and sympathetic to local character.

Other considerations

20. The appellant sets out that a sizeable extension could be implemented through permitted development rights if planning permission were to be refused and it is a realistic fall back position.

21. The proposal before me could not be constructed under permitted development. In my view, and based on the evidence presented, the proposed development would have a greater impact on the openness of the Green Belt. This is because the permitted development scheme would be smaller, and it would not include a two-storey element and thus would be largely screened (albeit it would include a dormer window). There is also limited evidence to demonstrate that the fallback position has a greater than theoretical possibility that it would be implemented in the event this appeal was dismissed. Nonetheless, it does demonstrate that it would be possible for the appellant to extend the dwelling under permitted development rights. For these reasons, I give the fallback position limited weight.

Whether very special circumstances exist

22. The proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. The proposal would not preserve the openness of the Green Belt and would cause harm to the character and appearance of the host dwelling and surrounding area. Paragraph 148 of the Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
23. The other considerations are given limited weight. When drawing this together, the other considerations advanced in support of the appeal whether taken individually or cumulatively, do not, clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist. Consequently, the scheme would conflict with Policy GB1 of the LP and chapter 13 of the Framework, which seek to protect the Green Belt, and the proposed development would amount to inappropriate development in the Green Belt.

Conclusion

24. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR