



Appeal Decision

Site visit made on 21 February 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2024

Appeal Ref: APP/W4223/D/23/3332559

Blunder Hall Stables, Dirty Lane, Strinesdale, Oldham OL4 3RH

- 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 Chris Parkinson against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/351207/23, dated 26 June 2023, was refused by notice dated 8 September 2022.
 - The development proposed is a garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The application form refers to a detached garage, as do the appeal form and decision notice. However, following amendments to HOU/350754/23, the garage would be attached to an annex. For accuracy, I have therefore removed the word detached from the description and proceeded on this basis.

Main Issues

4. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt; and c) if it would be 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 it.

Reasons for the Recommendation

Inappropriate Development

5. The National Planning Policy Framework 2023 (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building. This is provided that the extension does not result in disproportionate additions over and above the size of the original building. The Framework
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defines 'original building' as a building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally.

6. Policy 22 of the Oldham Local Development Framework Development Plan Document 2011 (LDF) seeks to protect the Green Belt and requires development proposals therein to be considered in line with the provisions of national policy. Neither the LDF nor the Framework define disproportionate. The Council has previously considered an increase of 33% for development in the Green Belt to be disproportionate, however this figure is said to relate to legacy policies and is not mentioned in Policy 22. Nevertheless, the appellant accepts that the proposed garage extension would increase the volume of the original building by over 33%.
7. Size can be more than a function of volume and can include bulk, mass, and height. In this case, the scale, bulk and mass of the building has already been increased by previous extensions. The proposals would further increase the massing and scale of the annex and would add to the visual and volumetric impact of previous extensions. Consequently, the extension, together with previous works, would amount to disproportionate additions over and above the size of the original building. The scheme would therefore be inappropriate development which is, by definition, harmful to the Green Belt.

Openness

8. Openness is an essential characteristic of the Green Belt. Planning Practice Guidance states that openness is capable of having both spatial and visual aspects, so that both the visual impact of the proposal and its volume may be relevant.¹
9. The garage extension would increase the visual and spatial bulk and massing of the building, creating built form where there was previously none and would therefore result in an unavoidable reduction in the openness of the Green Belt. Even though the garage would only be visible from Dirty Lane, it would be positioned directly at the end of the access track and would be in one of the most visible locations of the plot. Given the, in context, modest size of the garage extension, the backdrop of other buildings and the residential nature of the group of properties on Dirty Lane, the harm to the visual aspect of the openness of the Green Belt would be limited. This would not however have a bearing on how, unavoidably, the scheme would reduce the spatial aspect.
10. Notwithstanding, the above would still result in further harm to the Green Belt and be contrary to one of the fundamental aims of Green Belt policy in keeping land permanently open.

Conclusion and Recommendation

11. The appeal scheme would cause harm to the Green Belt by way of inappropriateness and through reducing openness, to which substantial weight should be afforded. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. No other considerations have been put forwards and consequently the very special circumstances necessary to justify the garage do not exist.

¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

12. Accordingly, the proposed garage extension would conflict with LDF Policy 22 and with the Framework, the aims of which are set out above. There are no other material considerations before me that would be worthy of sufficient weight (including the approach of the Framework) which indicate that a decision should be made other than in accordance with the development plan. The appeal should therefore be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR