
Appeal Decision

Site visit made on 4 February 2025

by **R Morgan BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 March 2025

Appeal Ref: APP/W4223/D/24/3351033

Holly Ville Lodge, Holmfirth Road, Greenfield, Oldham, OL3 7DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Birch against the decision of Oldham Metropolitan Borough Council.
 - The application Ref is HOU/352605/24.
 - The development proposed is partial redevelopment of existing derelict house.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr & Mrs Birch against Oldham Metropolitan Borough Council. That application is the subject of a separate Decision.

Preliminary Matters

3. A revised version of the National Planning Policy Framework (the Framework) was issued in December 2024. Changes have been made to Green Belt policy, but the tests which are relevant to this appeal remain fundamentally unaltered. I am satisfied that there are no changes, either to Green Belt policy or other aspects of the Framework, which have a material impact on this appeal.

Main Issues

4. The main issues are:
 - whether the proposed development would be inappropriate in the Green Belt, including the effect on openness, and
 - whether very special circumstances exist that clearly outweigh the harm to the Green Belt.

Reasons

Whether inappropriate development

5. Framework paragraph 142 advises that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Paragraph 153 goes on to say that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development is inappropriate unless one of the exceptions listed in Framework paragraphs 154 and 155 apply.

6. Policy 22 of the Oldham Development Plan Document 2011 (Local Plan) confirms that development in the Green Belt will be permitted provided it does not conflict with national Green Belt policies.
7. The appeal property is a former lodge building, located at the entrance to the Hollyville estate. From Holmfirth Road, the appeal property appears to be single storey, although it has previously been extended to the side and rear to create a two storey element with an upstairs bedroom.
8. The appeal proposal would involve significant alterations to the house so that it would be fully two storey, with three upstairs bedrooms. At ground floor level, the existing single storey rear extension would be removed and there would be a new integral garage to the side, with further small additions to the side and rear.
9. The Council has assessed the proposal against Framework criterion 154c), which allows for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. In the appellant's view, the proposal should have been considered under criterion 154g) instead. That exception allows for the partial or complete redevelopment of previously developed land, where it would not cause substantial harm to Green Belt openness.
10. Without going as far as replacing the building altogether, the proposed changes to Holly Ville Lodge are significant. The proposal would substantially alter the existing property, so it would look very different, with a reworking of the internal layout. The appellant has explained that the changes proposed would overcome existing problems with the accommodation, including small room sizes with numerous different floor levels, and poor thermal and acoustic insulation.
11. I agree that the land on which the Lodge is sited can be described as previously developed, but the same could be said of any house which was being extended. The appeal proposal involves changes to the building, rather than redevelopment of a wider site or land. The proposals go beyond straightforward additions, and I note that the original application form describes the works as partial redevelopment. However, the changes could equally be described as extensions and alterations to a building. To my mind, criterion 154c) is intended to apply in circumstances such as this. Irrespective of the form on which the original application was submitted, I agree with the Council that criterion 154c) is applicable here, and is a better fit for this case than 154g).
12. The Framework does not define what is meant by 'disproportionate additions' in terms of paragraph 154c), and there is no further guidance in Local Plan Policy 22 or Policy JP-G9 of the Places for Everyone Plan 2024 (PEP), both of which are concerned with the protection of Green Belts.
13. In this case, information provided in the appellant's Green Belt Statement shows that the original building (as at 1948) was very modest. Previous extensions have enlarged the footprint, and creation of a small bedroom at first floor level will have also increased the floorspace. From the information provided, it appears that the appeal proposals, together with previous extensions, would result in a significant increase over and above the size of the original building, to the extent which can only be considered to be disproportionate in terms of criterion 154c).

Openness

14. The area surrounding the appeal site is well wooded, with mature trees along both sides of Holmfirth Road, as well as in the grounds of the Lodge and wider Hollyville estate. The appeal building is set into the hillside which rises up from Holmfirth Road, and is well screened by the surrounding trees and topography. The house is only readily visible from the road in close views.
15. The concept of Green Belt openness has a spatial and visual component. In this case, the combination of small scale of the existing building and its wider landscape setting, means that Holly Ville Lodge in its current form has little impact on Green Belt openness, either visually or spatially.
16. By raising the height of the Lodge, with the introduction of greater mass at first floor level, the visual impact of the building would increase. Photomontages provided by the appellant indicate that the extended house would be more visible from Holmfirth Road in immediate views, and would become visible from slightly further down the road, where the existing building cannot readily be seen (view 3, from the south west). From views 1 and 2, both within the grounds of Hollyville, the additional height of the roof would mean that the property would be slightly more visible.
17. The images supplied are helpful in assessing the visual impact from various views, and corroborate my own observations when visiting the site. Whilst the proposals would increase the visual impact of the property, the effect would be very localised. When viewed from the road, it would continue to be viewed in the context of the mature trees and the sloping grounds of the Hollyville Estate, which rise up behind it. From within the wider grounds of Hollyville, the proposed development would become visible from some points, but views would still be restricted by the topography and vegetation.
18. Overall, when compared with the existing situation, the effect of the proposal on visual openness would be small. The proposed development would increase the footprint of the building, but only by a small amount. In the context of the wider Green Belt, the impact of the proposal on spatial openness would be negligible. Given the minor scale of the development, there would be no harm to any of the five Green Belt purposes.
19. To conclude on this main issue, the proposal would be inappropriate development in terms of Framework criterion 154c). As it would not accord with national Green Belt policy, it would also conflict with Local Plan Policy 22.
20. By improving an existing property, the proposal would enhance the beneficial use of the Green Belt, as sought by PEP Policy JP-G9. However, in overall terms the benefit would be very modest, and there would be a small amount of harm to openness, so the policy would not be fully complied with.

Other considerations

21. The submitted information suggests that the original building would have been small. It has since been extended, but according to the appellant, the dwelling is not suitable for occupation in its current state and has been vacant for a number of years. The house does not appear to be obviously derelict from outside, and photographs of the interior have not been provided. Nonetheless, the existing floorplans indicate that the rooms are small and the layout awkward, with changes in internal floor levels. I have no reason to doubt that the existing property would benefit from being upgraded.

22. The appeal proposal would result in the property being significantly improved in terms of its internal layout and accessibility, as well as its thermal and acoustic comfort. The house would be remodelled and extended to provide a generous sized three bedroomed home, which would provide a good standard of accommodation for a family.
23. The Council has suggested that the existing building is, or could be made, habitable for a small household, without the need to extend at first floor level in the manner proposed. I have sympathy with the appellant's comments that significant cost would be involved to rectify the existing deficiencies, with the end result still a modest and compromised dwelling. Even so, the need for such a substantial increase in space has not been justified on cost or other grounds.
24. In granting permission for a previous application for single storey rear and front infill extensions in March 2020¹, the Council has previously accepted that there is further scope to extend the existing building using permitted development (PD) rights. That scheme was not implemented for cost reasons, but the previous permission indicates that PD rights are intact and, if used, would enable a further increase in the footprint, volume and floorspace of the building.
25. The appellant has provided details of an alternative scheme which they suggest could be constructed using PD rights, which shows the addition of a single storey rear extension, porch and long outbuilding along the Holmfirth Road frontage. Whilst the Council has noted the lack of a formal PD submission, there is nothing to suggest that such rights could not be exercised in the manner suggested. That said, the suggested PD scheme would all be at a single storey level, and would not result in the significant additional mass and bulk at first floor level which is now proposed.
26. The suggested PD outbuilding, which could be constructed under Class E rights, would present a long and unattractive frontage along Holmfirth Road. However, such a building could still be constructed even if the appeal scheme was built, and I note that the floorplan shows that it would provide elements such as a gym and garden room, which are not included in the appeal scheme. The harm associated with the proposed PD outbuilding does not justify the scale of the development now proposed.
27. The existing building has already been extended in an ad hoc and unsensitive manner. From Holmfirth Road, the existing extensions appear unattractive, and detract from the character and appearance of the original building. Further additions through a permitted development scheme could be achieved in a more considered manner, but given the topographical constraints of the site, it may be difficult to achieve a satisfactory overall design.
28. The comprehensive scheme now proposed would provide an attractive and coherent design, with materials appropriate to the local area. Steeply sloping roofs such as that proposed are not a common feature of the surrounding area, but there are a variety of building types in the vicinity, and the proposed twin gabled building would be a distinctive feature along this section of Holmfirth Road.
29. That said, the proposed house would be very different to the current building, and would fail to respect its original form and character. The appearance of the appeal building has already been compromised, and no particular heritage value has been

¹ Application ref HH/344113/19

identified, but it can still be understood to have once been a traditional lodge, at the entrance to the grounds of a country estate. This would no longer be the case if the appeal scheme were to be constructed, to the detriment of the character of this section of Holmfirth Road.

30. Taking these considerations into account, character and appearance reasons do not provide a compelling reason to allow the appeal.

Green Belt balance and conclusion

31. In combination with previous extensions and additions, the proposed development would be a disproportionate addition over and above the size of the original building. As such, it would constitute inappropriate development in the Green Belt in terms of Framework paragraph 154c). There would also be a small amount of harm to visual openness. As required by Framework paragraph 153, I give substantial weight to these harms.
32. Even when taken together, the other considerations, including the suggested PD alternative, do not clearly outweigh the harm by way of inappropriateness and the small amount of harm to openness. The very special circumstances needed to approve the appeal do not exist. The appeal is therefore dismissed.

R Morgan

INSPECTOR