



Appeal Decision

Site visit made on 11 June 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/Z2315/D/25/3361525

Oak Tree Cottage, Castle Clough, Hapton, Burnley BB12 7LN

- 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 Miss Leonie Nuttall against the decision of Burnley Borough Council.
 - The application Ref is HOU/2024/0209.
 - The development proposed is the rebuilding of a former cottage to create a two-storey extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the rebuilding of a former cottage to create a two-storey extension at Oak Tree Cottage, Castle Clough, Burnley, BB12 7LN in accordance with the terms of the application, Ref HOU/2024/0209, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's: location plan (dated 18/4/24), Proposed floor plans and elevations 2/3/2024(A), and Proposed sections, elevations, roof, and site plan 3/3/2024(A).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. 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 and its effect on openness, and
 - the effect of the proposed extension on the character and appearance of the area.

Reasons

Inappropriate development

3. The appeal site is within the Green Belt. Policy SP7 of the Burnley Local Plan [2018] (LP), in regard to protecting the Green Belt, states that new buildings in the Green Belt are to be regarded as inappropriate development unless it meets a

listed exception at (a) to (f). This includes at (c) the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. This provision is the same as that found at paragraph 154(c) of the Framework, where its glossary describes the 'original building' as; "a building as it existed on 1 July 1948 or, if constructed after 1947, as it was originally built". The term 'disproportionate' is not defined by Council policy or within the Framework, but this can relate to the volume or floorspace of the building, causing an effect to the overall size of the building. As such, consideration of proportionality in this case is therefore a matter of planning judgement.

4. The appellant indicates that the original building may have been larger than that which is evident today. The appellant's photographic evidence demonstrates that an extension or separate dwelling existed to the northern side of the dwelling in the past. However, most evidence of such a structure has been removed and there is no clear indication, within the submitted evidence, of the size of any such building or when it was present and when it was demolished. As such, I can only attract limited weight to the effect of any previous development as to the size of the building. As a result, I shall take the original building to consist of the existing building excluding the conservatory.
5. The Council has not provided any assessment of the size of the existing dwelling or the percentage increase that the proposed addition would create. However this can be a useful method to understand whether the proposal would be a proportionate addition. The appellant has explained that the dwelling's footprint, without the conservatory, would increase by 41.4% and its volume would increase by 33.5%. Based on my own assessment of the proposal, and my site visit, these figures appear to be at least reasonably accurate.
6. In consideration of the size of the original dwelling and its previous addition, the proposed extension would be comparatively small and proportionate to the size of the original dwelling.
7. Consequently, the proposal would not be disproportionate. As the proposed extension has been found to be 'not inappropriate', in applying this policy, it is not regarded as harmful either to the openness of the Green Belt or to the purposes of including land within it. As a result, the proposal would accord with LP policy SP7 whose purposes have already been described.

Character and appearance

8. Oak Tree Cottage is a dwelling within spacious grounds. The appeal dwelling is adjacent to another dwelling, within the open countryside close to a warehouse facility. The dwelling is a two-storey building of natural stone that includes windows with stone surrounds, stone corbels and a slate roof, having a traditional rural character. The site includes, and is surrounded by, mature tree and hedge planting creating a sylvan setting where the site makes a positive contribution to the character and appearance of the site and its countryside surroundings.
9. The Council's Residential Extensions SPD [2022], chapter 2.2, offers several acceptable approaches to the design of extensions. These include extensions that take either a 'subservient' or a 'seamless' approach and table 2.2.7 indicates that either approach would be suitable for a detached dwelling. The intention of a seamless approach would be to make any addition look like part of the original

house. In such circumstances the guidance identifies that a successful design would include the use of suitable materials, proportions and window treatment to create a fully integrated appearance.

10. The proposed two-storey addition would be aligned with the front and rear elevations of the dwelling. It would consist of matching materials and would mimic the main characteristics of the existing dwelling in terms of window form, roof and window and door design. It would therefore be of a suitable design and would integrate well with the existing character of Oak Tree Cottage in a seamless manner.
11. Accordingly, the proposed extension would complement the character and appearance of the host dwelling and would integrate well with the surrounding area. Consequently, the proposal would comply with LP policy HS5 and the Council's Residential Extensions SPD [2022]. These seek, among other matters, for house extensions to be high quality and where the design would respect the architectural characteristics, scale and detailing of the host building and its setting.

Conditions

12. I have imposed the standard conditions with respect to timeframe and approved plans for certainty. A condition is also necessary to ensure that the materials used match the main dwelling in the interests of the character and appearance of the host dwelling.

Conclusion

13. The proposed development would accord with the development plan, and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should be allowed and planning permission granted subject to conditions.

B Plenty

INSPECTOR