



Appeal Decision

Site visit made on 10 June 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2025

Appeal Ref: APP/G4240/W/25/3360410

60 Mottram Moor, Hollingworth, Tameside SK14 8LZ

- 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 and Mrs K Wykes against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 24/00762/FUL.
 - The development proposed is a retirement cottage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) 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;
 - (ii) The effect of the proposal on the openness and the purposes of the Green Belt;
 - (iii) The effect of the proposal on the living conditions of the occupiers of 56 Mottram Moor, with particular regard to outlook; and
 - (iv) 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

3. Policy JP-G9 of the Places for Everyone Joint Development Plan Document 2024 (PFE) sets out the five purposes of the Green Belt which are those listed in Paragraph 143 of the Framework. The policy further states that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. Paragraph 154 of the Framework sets out that the construction of new buildings is inappropriate in the Green Belt, but it provides a number of exceptions to this, including limited infilling in villages at 154e).
4. There is no definition of 'limited', 'infilling' or 'village' in the Framework. The proposal is for one dwelling which, in the context of the appeal site and the existing

development near to it, would be a limited amount of development. Hollingworth has facilities such as a village green, public houses, schools, a doctor's surgery and shops and I am satisfied that it is a village, which is consistent with the view of the Council on that matter. Whether the proposal would represent infilling is however a matter of dispute between the main parties.

5. There are two sections of continuous built-up, linear, frontage along this section of Mottram Moor consisting mainly of terraced dwellings built close to the back edge of the pavement. The existing dwelling on the appeal site along with the gardens of adjacent dwellings form a notable break in those frontages, with the existing dwelling being set well back from the road. There are however some dwellings positioned behind the dwellings which front onto Mottram Moor. This includes a dwelling adjacent to the appeal site at 56 Mottram Moor with a pair of dwellings also positioned to the other side of 60 Mottram Moor.
6. Those properties which are set back have a broadly linear form, in the sense that the main bulk of No 60 is consistent with the positioning of those dwellings either side of it and thus, when built, it infilled a gap between the two. However, the appeal proposal would be set back in its entirety behind No 56 and mostly behind the main bulk of No 60. There would not be infilling between Nos 56 and 60 as a result. Specifically, when viewed from the west there would not be an impression of the gap between the dwellings at Nos 56 and 60 being filled. Likewise, in many views from the east it would not be apparent that there is a dwelling to the other side, because No 56 would be set so far forward of the appeal proposal.
7. Whilst the appellants refer to the curtilages of the existing dwellings, in particular those of Nos 56 and 60 which extend in depth considerably, I am not persuaded that infilling can reasonably be taken to include development between garden areas as opposed to development between two buildings. It should, to my mind, be development which gives the visual impression of a gap having been filled between buildings, which the appeal proposal would not achieve. Although there is an outbuilding to the rear of No 56, it is small and size and not akin to the size of a dwelling. I do not consider that there would be any impression of the appeal dwelling infilling a gap between that building and No 60. As a whole, the proposal would not represent infilling.
8. My attention has been drawn to two appeal decisions¹ at the same property in Oldham where the appointed Inspectors found development within a loose collection of buildings to be infill. However, neither of those proposals were for new dwellings and no substantive details of the relationships of the proposals to existing buildings have been provided to allow for comparison to the appeal scheme. In any event, I do not consider that the pattern of settlement surrounding the appeal site can be described as loose, as there is a linear form of those dwellings fronting on to Mottram Moor and then a broadly linear form of the existing dwellings behind them, which includes Nos 56 and 60. That other site does not therefore appear comparable to the appeal site.
9. Paragraph 155 of the Framework relates to development on grey belt land. Given that Hollingworth is a village and I have not been made aware of any historical assets that might be affected by the proposed development, the proposal would not conflict with Green Belt purposes a), b) or d). It also would not fundamentally

¹ APP/W4223/W/19/3227776 & APP/W4233/W/24/3343164

undermine the purposes taken together of the remaining Green Belt across the area of the plan and thus would accord with Paragraph 155a). The appeal site is located in a sustainable location for the purposes of 155c) and the provisions of 155d) do not apply to the amount of housing development proposed.

10. Paragraph 155b) requires there to be a demonstrable unmet need for the type of development proposed. Footnote 56 states that this, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test (HDT) was below 75% of the housing requirement over the previous three years. The Council advises that they can demonstrate a five year housing land supply, and the latest HDT figure was 98%. Whilst the appellants refer to an unmet need for older persons housing, the Framework refers only to housing land supply and the HDT. The proposal therefore does not accord with paragraph 155b).
11. In conclusion, the proposal would not fall into any of the exceptions listed in paragraph 154 and paragraph 155 of the Framework, and it would be inappropriate development in the Green Belt.

Openness & purposes

12. A fundamental aim of Green Belt policy, as set out by the Framework, is to prevent urban sprawl by keeping land permanently open. Openness is, in effect, the absence of development and it has both a spatial and visual aspect to it. The Green Belt purposes are those set out in Policy JP-G9 of the PFE and paragraph 143 of the Framework.
13. At present the land on which the proposed dwelling would be located is devoid of built structures, other than a low level shed and greenhouse. In comparison the proposed development is for a dwelling of a much greater scale, which would have a moderate impact upon both visual and spatial openness. There would not however be any direct conflict with the purposes of the Green Belt.
14. For these reasons, I conclude that there would be moderate harm to Green Belt openness. The proposal would therefore be contrary to the specific guidance within the Framework in that regard and to Policy JP-G9 of the PFE.

Living conditions

15. The proposal would be positioned adjacent to the side boundary of No 56. There would be an impact on the living conditions of the occupiers of this dwelling because of the positioning of the new dwelling and its general scale. There are a number of windows serving No 56 on its southern and eastern elevations.
16. The proposed dwelling has been designed with a single storey element close to the boundary with No 56, which would reduce the impact of its massing. Furthermore, the bulk of the proposal would be sited a reasonable distance from the two nearest elevations of No 56. There would be an impact on outlook in so far as it is taken across the existing rear garden of No 60, however this would equate more to a loss of view which is not in itself a material planning consideration.
17. Overall, I am satisfied that whilst there would be an impact on No 56, this would not result in harm to the living conditions of its occupiers. Consequently, the proposal would accord with Policy H10 of the Unitary Development Plan 2004

where it requires that proposed housing development have no unacceptable impact on the amenity of neighbouring properties.

Other Considerations

18. The proposed dwelling has been designed for the retirement of the appellants and their health needs, with the aim of allowing them to keep residing on the appeal site with the associated benefits to their wellbeing. My attention has been drawn to the Tameside Housing Strategy 2021-2026 where it puts considerable emphasis on people centred solutions. However, although of a smaller footprint than their current dwelling, the appeal proposal would still be of a substantial size, would also provide two levels of accommodation albeit with one en-suite bedroom on the ground floor and have no other notable adaptations. Other than reference to their existing property being too big, there is no substantive information before me to show that it could not be adapted to meet their current and future needs. This consideration therefore carries moderate weight in favour of the proposal.
19. The proposal would be new housing development on a small site in terms of the aims of the Framework in identifying land for homes and would free up the existing dwelling for occupation by others. It is in a sustainable location close to services and facilities. It would also make a contribution to the aim of the Framework to significantly boost the supply of homes. Whilst the proposal might be suitable for occupation by elderly people in the future, equally it would appear to be suitable for all age ranges of people. It is stated that the dwelling would be a self-build dwelling, although I have not been provided with any details of whether or not the Council is meeting its legal obligations under the Self-Build and Custom Housebuilding Act 2015. Given the quantum of development proposed and the uncertainty about the Council's self-build position, these are considerations which collectively carry moderate weight. It would appear that there is potential to increase the biodiversity of the site through new landscaping and this consideration too carries moderate weight.
20. The appellants consider that the proposal would be seen as part of the existing cluster of built development. Whilst this is true to some extent, especially from longer views, it does not overcome my findings on infilling and openness. Likewise, that the appeal site is not readily visible from the public realm, that the proposal would not be likely to be intrusive in the landscape and that much of the existing garden land of No 60 would be retained as garden do not address those matters. Whilst the appellants consider that the impact on the Green Belt should be taken not just to include buildings but also domestic activities in gardens, in the sense that the appeal site is already garden land, the latter would not be expected to include any significant permanent built form. These considerations carry limited weight.
21. The appellants state that the removal of permitted development rights would ensure that the garden land remains open in character, as at the present time outbuildings could be constructed within the garden. However, aside from the fact that this would not apply to the existing dwelling and its retained garden, I have not been made aware that there is any real prospect that the appellants intend to construct any such buildings. And, in any event, they would not be able to be of the same scale as the appeal proposal and the fact that their use would have to be incidental to the enjoyment of the existing dwellinghouse would potentially also limit their size. As a result, I afford only limited weight to this consideration.

22. I acknowledge that the proposal has been amended and the proposed dwelling reduced in size. For the reasons I have set out above, this has not overcome the main issues in this case. My attention has also been drawn to a new by-pass road which is being constructed near to the appeal site. However, that is not comparable to the type of development before me and will have been assessed upon its own merits. I have taken the same approach in my determination of this appeal.

Planning Balance & Conclusion

23. The Framework at paragraph 153 establishes that substantial weight should be given to any harm to the Green Belt, including harm to its openness, and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.
24. The proposal would be inappropriate development in the Green Belt and would result in harm to its openness, although not to its purposes. The other considerations put forward in this case to which I have afforded moderate and limited weight do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
25. For the reasons given above, I conclude that the proposal conflicts with Policy JP-G9 of the PFE and with the objectives of the Framework where they seek to protect the Green Belt. Therefore, the appeal should be dismissed.

Graham Wraight

INSPECTOR