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## Appeal Decision

Site visit made on 23 September 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

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**Appeal Ref: APP/A4710/D/25/3365161**

**Westercroft Barn, Westercroft Lane, Northowram, Halifax, Calderdale HX3 7SG**

- 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 Suddards against the decision of Calderdale Metropolitan Borough Council.
  - The application Ref is 24/01248/HSE.
  - The development proposed is small scale extensions to detached property.
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### Decision

1. The appeal is dismissed insofar as it relates to the proposed ground floor kitchen / dining room extension and balcony above. The appeal is allowed insofar as it relates to the proposed porch extension on the east facing elevation and planning permission is granted for the proposed porch extension at Westercroft Barn, Westercroft Lane, Northowram, Halifax, Calderdale HX3 7SG in accordance with the terms of the application, Ref 24/01248/HSE, and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the conditions set out in the attached schedule.

### Main Issues

2. The main issues are:
  - Whether or not the proposal would amount to inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
  - The effect of the proposed development on the openness of the Green Belt;
  - The effect of the proposed development on the character and appearance of the host building and the surrounding area; and
  - 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*

3. Policy GB1 of the Calderdale Local Plan (CLP) states that the construction of new buildings within the Green Belt is inappropriate development, except in certain circumstances. Criterion (c) states that the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building is an exception and would not be inappropriate development. These provisions within CLP Policy GB1 reflect those of the

Framework at paragraph 154 and, with specific regard to extensions and alterations to existing buildings, of paragraph 154(c).

4. There is a considerable gulf between the parties in terms of their assessment and calculations relating to the 'original building' and whether the proposed extensions amount to disproportionate additions over and above the size of the original building. The differences stem from their respective positions regarding the baseline for what constitutes the 'original building'.
5. The Glossary to the Framework clearly defines what should be taken to be the 'original building', that being the building as it existed on 1 July 1948 or, if built after that, the building as it was built originally. There is no dispute that the building from which the current dwelling was converted existed prior to 1948. The appeal property's planning history is not disputed, and it is agreed that the building was extended as part of the works of conversion to a dwelling in the 1990s. Although I do not have the details of the scheme that resulted in the conversion of the building, I have no reason not to accept the submissions of the parties in this respect.
6. The appellants' position is that for the purposes of Green Belt assessment, it is the point at which the converted (and extended) building became a dwelling that is the 'original building'. An appeal case<sup>1</sup> is cited in support of this view.
7. However, the cited case does not provide on the available evidence a directly comparable set of circumstances to the appeal case before me. The wording of the Framework in terms of both paragraph 154(c) and the Glossary, and that of CLP Policy GB1, are all clear that the reference point is 'original building' rather than 'original dwellinghouse'. Thus, I am not persuaded that the baseline should be anything other than the 'original building', and that given the specific circumstances in this instance, that is the building as it existed on 1 July 1948.
8. As it is common ground that there were extensions at the time of conversion, I am satisfied that the appeal scheme would amount to the further extension and alteration of the building. As the appellants' calculations are predicated on the basis that the 'original building' is that which came about at the point at which it was converted (and extended) to a dwelling, it comes as no surprise that extensions in the region of only 15% or so are cited. However, on the basis of my conclusions regarding the 'original building' it is the calculations of the Council that I find compelling regarding the cumulative extent of additions over and above the original building.
9. It is stated by the Council therefore that the appeal scheme would result in extensions, cumulatively, in the region of 62% over and above the size of the original building in volumetric terms. Although they are in themselves relatively limited in overall scale and their respective floor areas and volumes, they would nevertheless cumulatively result in disproportionate additions over and above the size of the original building. For the purposes of CLP Policy GB1(c) and Framework paragraph 154(c), the proposed extensions do not benefit from the exceptions set out therein and are inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and the Framework advises that substantial weight be given to any Green Belt harm.

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<sup>1</sup> APP/T3725/A/12/2185711 (Appendix 7 to Appellants' Statement of Case)

## *Openness*

10. Openness is described in the Framework as being one of the essential characteristics of Green Belts and has both spatial and visual aspects. The ground floor kitchen / dining room and balcony extension would be relatively modest in its scale; the proposed porch more modest still.
11. The ground floor kitchen / dining room and balcony extension would be located in an angle between the two-storey main body of the house and a projecting pitched roof single storey build-out. Its footprint would occupy part of an existing patio area that is enclosed by a low masonry wall and provides outdoor seating space.
12. Whilst the ground floor extent of this element of the proposal would be contained within the existing partially enclosed patio, the flank walls would extend upwards to accommodate the balustrade walls to the first-floor balcony. Despite the glazed panels to the front balustrade elevation, the flank walls would give the structure considerable angular bulk. Given the height of the balustrade walls, which would extend comfortably above the ground floor build-out's eaves level and parts of its pitched roof, the height and bulk of this part of the extension would be noticeable from Westercroft Lane and would erode openness around the building at both ground level and upper portions of the building's elevation. Whilst I do not consider that either the building or the proposed extensions would be as prominent as the Council suggest, they would nevertheless erode the openness around the building, albeit to a limited extent. There would be harm to the Green Belt as a consequence, albeit that harm would also be correspondingly limited.
13. The porch would be small, to the extent that it would only just exceed the permitted development tolerances afforded to porch extensions set out within the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the Order). Indeed, I am mindful of the possibilities given by the Order that the appellants have drawn my attention to and I note that it is agreed that permitted development rights were not taken away with the permission to convert the building to a dwelling. Nevertheless, the porch would introduce a built structure where presently there is none, and would reduce the spacing around and between the building and the detached garage. As with the kitchen / dining room and balcony extension, there would be a harmful effect on openness, albeit that that harm would be limited both individually and cumulatively with both proposed extensions.
14. An aerial image submitted as part of the appellants' Statement of Case (SoC) shows the appeal property as part of a small group of buildings surrounded by open fields standing apart from the main body of Northowram, the space around the appeal building contributing to a wider sense of openness beyond the built-up extent of Northowram. The appellants' submission makes reference to a housing allocation on an open field to the west of the appeal site, between it and the built-up extent of Northowram. An underdetermined (at the time of the appellants' submission) application for planning permission for residential development on the same area of land was also described in the appellants' SoC.
15. At the time of my visit to the site it was evident that the residential development of this land was well advanced. The previously open setting and context of the appeal site described by the appellants and shown in the aerial image was very different to that which I observed during my visit. Thus, although the proposed

extensions would result in some erosion of openness around the appeal building itself, the harm to openness in visual terms would be limited given the context in which the appeal property now lies.

16. However, taking all of these factors together, I conclude that the proposal would nevertheless result in a loss of openness around the building in the terms described above. Whilst the proposal would not compromise the five purposes of the Green Belt, as openness is an essential characteristic of the Green Belt, there would be harm to the Green Belt for the reasons set out, albeit that that harm would be only limited given the specific circumstances and factors set out above.

#### *Character and appearance*

17. The ground floor and balcony extension would be a substantial, angular and bulky addition to the property. The tall flank walls would extend above the eaves level of the ground floor walls of the single storey build-out and would result in a mix of conflicting rooflines, angles and built elements when viewed from Westercroft Lane. The form of the extension, and particularly the bulky and angular flank walls and glazed balustrade would not respect the more traditional, simple form of the converted former barn and would belie its origins as such.
18. The proposed extension and balcony above would also replace the existing modest, smaller window openings with much larger, glazed window and door panels. Indeed, the large glazed openings would be incongruous amongst the otherwise smaller openings with vertical divisions from the stone mullions, compounded by the presence of the glazed balustrade to the balcony.
19. The proposals for which planning permission is sought appear to be part of a wider internal refurbishment of the appeal property. As such, a range of internal works as well as the alterations to existing fenestration patterns and types are proposed, in addition to the proposed porch and ground floor / balcony extension. Whilst I am mindful of the appellants' stated position regarding the ability to alter and remodel fenestration patterns across the existing building, and the corresponding effect that this may have upon the character and appearance of the appeal building, it is clear that these works on their own would not provide the extent of internal remodelling that the wider works seek to secure. The weight that I afford this as a realistic fallback position to justify the proposed ground floor and balcony extension is therefore limited as a consequence and insufficient to persuade me as to the acceptability of the proposed extension.
20. The porch is limited in its scale and modestly sited in a position between the front of the house and the detached garage. Whilst I have considered its effects on openness in Green Belt terms, I am satisfied that it is of sufficiently limited extent and modest appearance so as to avoid harm to the character and appearance of the appeal property. In reaching this conclusion, I am also mindful of the appellants' fallback position for an only slightly smaller porch which, in order to comply with the restrictions placed upon permitted development rights for porches by the Order, may not result in a porch of the nature before me.
21. Whilst I am satisfied that there would be no harm to character and appearance arising from the porch element of the proposed extensions, the ground floor kitchen and dining room extension with the balcony above would erode elements of the building's more traditional appearance and features and would belie its character and origins as a converted former barn. This element of the extension

would feature large expanses of glazing which would be at odds with the more compact dimensions of existing fenestration.

22. CLP Policy BT1 sets out the Council's approach to securing high quality, inclusive design, taking into account broad aspects including aesthetics, function and sustainability. CLP Policy BT1(II), referring to aesthetics, states that new development should respect or enhance the character or appearance of existing buildings. It may not quite be in the terms of 'preserve or enhance' as referred to by the Council in the second of the refusal reasons, but I am nevertheless not persuaded that the ground floor extension and balcony would adequately reflect the character or appearance of the existing building, and this element of the scheme would fail to enhance in these terms.
23. Section 79(1)(b) of the Town and Country Planning Act 1990 (as amended) (the Act) allows for the principle of a split decision – to allow one part of a scheme and to dismiss the rest of a scheme. I am satisfied that the two elements of the proposal are clearly severable both physically and functionally. Whilst I am satisfied that the porch would respect the character and appearance of the appeal property, the ground floor and balcony extension would fail to do so, for reasons I have set out. Thus, although the former would align with the provisions of CLP Policy BT1, the latter would not, and is therefore contrary to CLP Policy BT1's aims of securing high quality design.

#### *Other considerations*

24. I am mindful of the appellants' circumstances and wish to create a multi-generational property through the extensions proposed. I have also noted the wider scope of works including internal works to remodel the building's interior layout, particularly with regard to the improvement of access to, and within, the building and catering for the mobility and manoeuvring needs of occupants. These are matters to which I attribute moderate weight in support of the proposal in its totality.
25. The clearly altered physical and locational context in which the appeal site now lies, as opposed to that at the time of the application's submission and determination, was obvious at the time of my visit. The appeal proposal would not undermine or be at odds with the fundamental aim of Green Belt policy of preventing urban sprawl, or the five purposes of the Green Belt and is a matter that weighs in favour of the proposal, albeit only to a limited degree.
26. I have also noted the appellants' personal statement where it is expressed that the balcony extension could be omitted if it was considered to be a problem, and replaced with roofspace. It may well be possible to design a roof style that would avoid the concerns I have set out above, but that is not what is before me and is not the basis upon which the Council determined the application. It is a commonly held convention that it is not the purpose of the appeal process to evolve schemes and, without any alternatives before me as to the exact detail of how that might be achieved, it is not a matter that I can afford any significant weight in support of the scheme.
27. Reference has been made to the possibilities afforded by the Order in relation to extensions to the appeal property. It is common ground that the provisions of the Order with regard to permitted development rights for the extension of the property were not withdrawn at the time of the conversion and extension of the building.

Whilst that may be so, these provisions have only been referred to in vague terms and no alternative schemes have been presented to me, whether in relation to the porch element or to the ground floor and balcony extension. Whilst I afford some, limited, weight to the possibilities regarding a porch I do so because the Order's provisions are reasonably tightly defined when compared with the broader allowances in relation to extensions. I can therefore be reasonably confident as to the possibilities regarding the porch as a potential fallback and so I afford this limited weight in support of the porch element of the scheme, but neither for nor against with regard to the ground floor and balcony element.

### *Green Belt Balance*

28. The proposed development would result in a disproportionate addition to the appeal property over and above the size of the original building. As such, the proposal is inappropriate development within the Green Belt which is, by definition, harmful. Openness is an essential characteristic of the Green Belt and I find that the proposal would also have a limited adverse effect on Green Belt openness.
29. The Framework states at paragraph 153 that substantial weight should be given to any harm to the Green Belt and that such proposals should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Whilst I am satisfied that the other considerations identified above are sufficient to clearly outweigh the Green Belt harm by reason of inappropriateness in relation to the proposed porch, they fall short of clearly outweighing them in relation to the ground floor and balcony extension. Thus, the very special circumstances required exist only in relation to the porch element of the proposal.

### **Conditions**

30. I have had regard to the suggested conditions as set out on the Council's appeal questionnaire and with reference to the provisions of the Framework and Planning Practice Guidance regarding the imposition of conditions. No further conditions, beyond the standard conditions set out on the questionnaire regarding the time limit for commencement, materials and approved plans, have been suggested. Whilst I have imposed time limit and materials conditions, I have adopted revised wording to the plans and materials conditions to reflect the nature of the split decision in relation to this appeal.

### **Conclusion**

31. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed in part in relation to the porch and dismissed in part in relation to the ground floor and balcony extension in the terms set out in my decision above.

*G Robbie*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the porch: 010 Existing Site and Location Plan; 001 Existing Floor Plans; 002 Proposed Floor Plans; 003 Existing and Proposed South and East Elevations; 004A Existing and Proposed North and West Elevations; and 008 Existing and Proposed Roof Plan.
- 3) The materials to be used in the construction of the external surfaces of the porch hereby permitted shall match those used in the existing building.

**\*\* End of schedule \*\***