

APPLICATION REPORT - HH/343092/19

Planning Committee, 16 October, 2019

Registration Date: 21/03/2019
Ward: Saddleworth North

Application Reference: HH/343092/19
Type of Application: Full Planning Permission

Proposal: Extension of a two storey side and rear extension and a single storey side extension and detached garage.

Location: Running Hill Cottage, Running Hill Lane, Dobcross, OL3 5JS

Case Officer: Hannah Lucitt

Applicant Mr Clay
Agent : Wildesign Ltd

This application was deferred at the Planning Committee meeting on 5 June 2019 to allow for the submission of further information on the permitted development 'fall-back' alternative; the design of the windows; and the claimed issues of water ingress to the existing property.

Fall-back position

There have been two previous applications for a Certificate of Lawfulness for alternative development at this site. An application for prior approval for a single storey extension has since expired without implementation.

The first application, CL/342121/18, proposed the erection of a single storey side and two storey rear extension, with a reduction of the width of the existing side / rear cat slide roof, the demolition of the existing single storey side extension.

The single storey side extension in that case would project 3.5m to the side of the original dwelling, be 6.5m in length, measuring 3m to the eaves and 4m to the roof ridge. The proposed two storey rear extension would project 3m from the rear of the original dwelling, be 8.4m in length, measuring 4.5m to the eaves height and 6.4m to the roof ridge.

The presently proposed two storey side and rear extension would project 6m from the rear of the existing dwelling, and 3.6m from the side of the existing dwelling at the greatest width, and would measure 6.8m to the roof ridge. The proposed single storey side extension would project 4m from the side of the existing building towards Running Hill Lane, and would measure 4m in width, 2.3m to the eaves height and 3.7m to the roof ridge.

It is evident, both in terms of the volumetric calculations and the increased physical and visual presence of the resultant building, that the impact of the present application would exceed that which has previously been accepted as lawful.

In respect of application CI/342211/18, this proposed two large detached buildings, a garage measuring 10.4m by 7.1m, and a 'garden building' measuring 22.3m by 10.2m. The garage would be sited close to the west of the house, but with the garden building located some distance away in the wooded area further to the west.

In volumetric terms, the garden building would have a far greater impact, although shown to be located within a well screened area. The new garage will reflect the scale of the previous proposal, but is now sited prominently on the Running Hill Lane frontage to the site. On this basis, the overall impact is not considered to be less harmful to the openness of the Green Belt. Whilst the fall-back position remains a material planning consideration, the very special circumstances justification for otherwise inappropriate development in the Green Belt has not been achieved.

The comparison of the different schemes will be demonstrated in the Committee presentation.

Design of the windows

Amended plans have subsequently been submitted which demonstrate a reduction in the scale of the windows, and a consequential improvement to their design. It is considered that this change enhances the proposal. The Committee presentation will highlight these differences.

Water ingress

Photographs have been submitted showing the existing problems associated with water ingress. Whilst these are noted, it remains unclear how the proposed extensions are directly related to the resolution of this problem, and therefore this issue carries very little weight in the determination process.

Previous report

THE SITE

Running Hill Cottage is a former Grade II listed building (now de-listed) dating from the mid-late 18th century which occupies an elevated position above the River Tame valley and forms part of a small nucleus of farms and cottages forming the wider hamlet of Running Hill Head. The footprint of this predominantly two storey stone built dwelling, which comprises three bays, could best be described as being 'L' shaped in account of the single storey outshut to the rear of the northernmost bay which it is understood were collectively added in the mid 1960s following the demolition of an earlier large wing in the early part of the 20th century.

The heritage value of the building derives from its special architectural and historic interest as an example of a small moorland farmhouse which was in part used as a loomshop during the domestic textile industry which characterised the Saddleworth district before the advent of late 18th century industrialisation. It's significance lies principally in the original part of the building, namely the southern most bays and to a lesser extent, the single storey porch at its southern end which appears to have been added in the late 18th or early 19th century.

THE PROPOSAL

This application proposes the erection of a two storey side and rear extension and a single storey side extension and detached garage.

The proposed two storey side and rear extension would project 6m from the rear of the existing dwelling, and 3.6m from the side of the existing dwelling at the greatest width, and would measure 6.8m to the roof ridge.

The proposed single storey side extension would project 4m from the side of the existing building towards Running Hill Lane, and would measure 4m in width, 2.3m to the eaves height and 3.7m to the roof ridge.

The proposed detached triple garage would measure 10.4m in length, 7.1m in width, 2.5m to the eaves height and 4.2m to the roof ridge.

The proposed development would be externally clad in stone and slate to match the existing dwelling.

RELEVANT HISTORY OF THE SITE:

PREX/342132/18 'Single storey rear extension -Length: 8.0m maximum height: 4.0m Height to eaves: 2.5m' Prior Approval Required and Granted Decision Issued Date: Wed 05 Sep 2018. This permission expires on 30th May 2019, when the development must be complete. A material start has not yet been made on site.

CL/342211/18 'Certificate of lawfulness for a proposed detached garage and a single storey garden building forming gymnasium/games room' was issued on 09th October 2018.

CONSULTATIONS

Highway Engineer No objection.

REPRESENTATIONS

This application was publicised by way of a site notice and press notice. No representations were made by virtue of this publication process .

Saddleworth Parish Council recommend refusal, and have made the following comments:

"The proposal represents disproportionate additions to the original building which is harmful to the openness of the Green Belt".

PLANNING CONSIDERATIONS

The main issues to consider are:

1. The principle of the proposed development;
2. Impact on residential amenity;
3. Design; and,
4. Highway safety and amenity.

Principle

The application site is located within the Greater Manchester Green Belt as identified by the Proposals Map associated with the Joint Development Plan Document (DPD) of the Local Development Framework (LDF) for Oldham. As such, the following policies are considered to be relevant:

Policy 1 - Climate change and sustainable development;
Policy 9 - Local environment;
Policy 20 - Design; and
Policy 22 - Protecting open land.

DPD Policy 1, in the context of this application, seeks to ensure the effective use of land, which maintains the borough's green belt, and which ensures that development respects Oldham's natural, built and historic environment, and their settings. DPD Policy 22 is also relevant in determining whether the principle is acceptable due to the location of the site in the Green Belt.

Although provision is made within the NPPF for 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*", no guidance exists within it to assist in determining when an extension should be considered disproportionate. Therefore, this must be considered on a case by case basis.

As a starting point, although largely superseded, the Unitary Development Plan for Oldham defined an extension within the Green Belt as being disproportionate if it increased the volume of the original building by more than one-third (33%).

In this regard, the original building would amount to approximately 362m³. The existing building includes a two storey side extension with catslide roof, which would add a further 239m³. The existing scenario amounts to a volumetric increase of 66% over and above the volume of the original building.

Given the above, the proposed extension, in addition to the existing additions, falls well over this threshold and would therefore be considered 'inappropriate' development. This is however just one factor of this assessment.

In regard to the proposed garage, paragraph 145 acknowledges that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. The proposed garage does not fit within any of the 'exceptions' listed in either paragraph 145 or 146 of the NPPF, and is therefore also considered to be 'inappropriate development'.

However, the impact of the proposed development on the openness of the Green Belt must be assessed.

Effect on the openness of the Green Belt

In terms of issues of openness and visual amenity, in the Court of Appeal case of *Turner v Secretary of State for Communities and Local Government and East Dorset Council* (2016) it was observed that visual impact is implicitly part of the concept of the openness of the Green Belt, and that such assessment is not restricted to volumetric comparison only. It is open to the decision taker to consider the impact on openness in the context of the site itself, the type and character of development proposed, and how this relates to the existing situation.

The proposed development would represent an extension to the original building that would be considered volumetrically disproportionate to the size of the main dwelling.

The proposed garage would be a new building within the Green Belt on previously open land.

Both singularly and taken together these structures would substantially increase the presence of built development on the site affecting openness, and conflicting with the purpose of the Green Belt in safeguarding the countryside from encroachment.

This weighs against the scheme.

Effect on the visual amenity of the Green Belt

In respect of the impact on visual amenity the proposed development is sited within an elevated vantage point from Running Hill Lane, and would be visible against the verdant backdrop of the Green Belt behind it, which is further topographically raised.

The glazing of the proposed addition would only serve to exacerbate the unacceptable impact on the visual openness of the Green Belt, introducing materials alien to both the host building and the Saddleworth vernacular.

The proposed garage would be sited within a location that is an existing area of open space, forming a dominant position adjacent the highway.

It is clearly visible from public vantage points within the Green Belt from short and long distance views.

It is considered that the proposed development would detract from the visual amenity of the Green Belt.

Therefore, the proposal would amount to 'inappropriate development' and the principle of development is not considered acceptable.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 of the NPPF states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Very special circumstances

The proposal therefore constitutes inappropriate development which by definition is harmful to the Green Belt.

The applicant, in their 'Supporting Statement' received 05th April 2019, has provided no 'very special circumstances' as such. However, the applicant does consider that the development that could be undertaken subject of PREX/342132/18 and CL/342211/18 should amount to a fallback position which would outweigh the harm to the Green Belt.

On the balance of probability, it would appear that the development subject of PREX/342132/18 is likely to expire, prior to the works being completed ahead of 30th May 2019, as works have not yet begun on site. Therefore, this fallback position would carry very little weight.

In any case, the development subject of PREX/342132/18 would have a lesser impact on the Green Belt, both visually and volumetrically, when compared to the development subject of this application.

Equally, it is not considered that the development subject of CL/342211/18 would have a greater impact on the Green belt, over and above the development subject of this application when considered cumulatively. Though the development subject of CL/342211/18 would have a greater volumetric impact on the Green Belt, it is considered that the reduced impact on the visual amenity of the Green Belt does not afford much weight as a fallback position.

Given the above, it is considered that the applicant has produced no 'very special circumstances' which would outweigh the harm to the Green Belt.

Therefore, the satisfactory principle of development is not considered to have been achieved.

Residential Amenity

DPD Policy 9 outlines that new development proposals must not have a significant adverse impact upon the amenity of neighbouring properties. In this regard, there are no nearby dwellings. As such, it is not considered that the proposed development would have any significant detrimental impact on occupiers of Running Hill Cottage or surrounding properties.

Given the above, it is considered that the impact on neighbouring amenity is acceptable in accordance with DPD Policy 9.

Design

DPD Policy 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

The proposed development materials reflect the character of the local vernacular and design pallet in terms of external facing materials. However, the harm caused to the openness of the Green Belt by way of the design, scale, and window fenestration of the proposed development, as discussed above, has not been overcome.

The proposed development is therefore not considered appropriate in terms of design, by virtue of its impact on the Green Belt.

Highway safety and amenity

The Highway Engineer has assessed the proposed development, and raises no objection in regards to the impact on highway safety and amenity.

Therefore, it is considered that the proposed development is in accordance with DPD Policy 9 in this regard.

RECOMMENDATION

Refuse for the following reason:

1. The proposed development represents 'inappropriate development' within the Green Belt which by definition is harmful to the Green Belt and should not be approved except in very special circumstances. No justifiable or appropriate 'very special circumstances' have been demonstrated to outweigh the harm caused to the Green Belt. Therefore the proposals are contrary to Policies 1 and 22 of the Joint Development Plan Document forming part of the Local Development Framework for Oldham, and the guidance in paragraphs 143, 144 and 145 within the National Planning Policy Framework that seeks to protect the openness, visual amenity and purposes of the Green Belt.

..... **Case Officer**

..... **Date**

..... **Planning Officer**

..... **Date**

343092

21 MAR 2019
Path (um)



