



Appeal Decision

Site visit made on 14 January 2025

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2025

Appeal Ref: APP/P4225/W/24/3352998

Branch Road Farm, Branch Road, Littleborough, Rochdale OL15 0AB

- 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 D Wildman against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 24/00716/FUL.
 - The development proposed was originally described as re-construction of a partially demolished barn to 1 no. 4 bedroom dwelling, replacement single storey rear extension and erection of detached double garage - Resubmission of 21/00942/FUL (revised scheme to application number 24/00111/FUL).
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Decision

1. The appeal is allowed and planning permission is granted for re-construction of a partially demolished barn to 1 no. 4 bedroom dwelling, replacement single storey rear extension and erection of detached double garage at Branch Road Farm Branch Road, Littleborough, Rochdale OL15 0AB in accordance with the terms of the application, Ref 24/00716/FUL, and the plans submitted with it, subject to the conditions included in the attached schedule.

Preliminary Matters

2. The original description of development as given in the application form is set out in the heading, however, in the formal decision I have removed the reference to 'resubmission' and 'revised scheme' as these are not acts of development.
3. I have consulted the main parties on the revised National Planning Policy Framework December 2024 (the Framework). Comments were received by the appellant stating that the site is grey belt under the definition as set out in the Framework. The Council has been given the opportunity to comment, however I have not received comments.
4. I have invited comments from the Council regarding the suggested conditions contained within its Statement of Case given the advanced stage of construction at the site, comments have been provided which I have taken into account.

Main Issues

5. The main issue of the appeal is whether the proposed development constitutes inappropriate development within the Green Belt, and, if so:
6. 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

7. The appeal site is a barn conversion and attached dwelling set in reasonably large grounds off Branch Road. The site is in an isolated location and is within the Green Belt. At the time of my site visit, the conversion of the barn appeared to be at an advanced stage.
8. The proposal is for the conversion of the barn with detached garage. The barn conversion has been previously approved and is not a matter of dispute in this appeal. However, the proposed garage did not form part of the previous approval¹.
9. The barn conversion was largely demolished leaving only part of the front wall as shown on the plans and has been effectively rebuilt. Therefore, I do not agree that there is no existing building, and the baseline for my assessment is the now built barn conversion.

Whether the proposal is inappropriate development in the Green Belt

10. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework sets out exceptions whereby development would not be inappropriate.
11. The evidence from both main parties refers to exception c) of paragraph 154 which states *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*.
12. Based on the barn conversion being the original building, I therefore find exception c) to be relevant to this appeal.
13. The proposed double garage would be modest in size and would be single storey and would be located a short distance from, and clearly related to, the host building, and therefore for the purposes of exception c) of paragraph 154 of the Framework I would consider to be an extension to the building.
14. I find that the barn conversion, the host building, which extends over two storeys, has a substantial floor area, bulk and mass compared to the proposed garage building. Therefore, the proposed garage, a relatively modest single storey building, would appear subservient to the greater mass, height and prominence of the host building. Therefore, the proposed garage would not result in a disproportionate addition over and above the size of the original building and would therefore fall within the exception at paragraph 154 c) of the Framework. For these reasons, the garage would not constitute inappropriate development within the Green Belt.
15. In these circumstances, there is no requirement for a specific assessment of the effects on openness or to consider very special circumstances. Considering other exceptions drawn to my attention or whether the proposal would utilise grey belt land serves no purpose.
16. For the reasons mentioned, I conclude that the proposal would not be inappropriate development in the Green Belt as it would not constitute a disproportionate addition to the original building. It would therefore accord with Rochdale Core Strategy (RCS) Policy G4 which states that development will be

¹ Planning application ref: 21/00942/FUL – Part re-construction of a partially demolished barn, including retention of existing front wall to form 1 no. 4 bedroom dwelling and replacement single storey rear extensions – Resubmission of 20/01551/FUL - Approved

restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated. The proposal would also accord with policy JP-G9 of the Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (March 2024) (JP) which reiterates the five purposes as set out in the Framework at paragraph 143 and 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.

17. Whilst policy JP-P2 of the JP has been referred to in the reason for refusal, adverse effects on heritage assets does not appear to be a matter in dispute.

Other Matters

18. The main building at the appeal site is described by the Council as a traditional lathe house farm with the barn attached to the house at one end of a linear group and had previously been described by the Council as a non-designated heritage asset. It derives its significance from its age and typology which is largely restricted to the Pennines. Due to the physical separation of the garage from the barn conversion and the proposed material palette, I am satisfied that the proposal would not affect the significance of the non-designated heritage asset.
19. The appeal site is located some distance to the east of the Clegg Village Conservation Area (CA) which includes the Grade II* listed Clegg Hall and the Grade II listed Clegg Hall Cottages and Clegg Hall Mill. Given the considerable separation distance and intervening farmland between the appeal site, the CA and listed buildings, I am satisfied that the proposed development would preserve their significance, in so far as it derives from their setting.
20. An objection to the proposal was received from the Council's ecology expert. This related to a bat survey having not been received. However, the Council's officer report confirms that due to the advanced stage of the barn conversion and works undertaken under planning application¹ the survey is not required. Given the situation on the appeal site I am satisfied that this is the case and biodiversity enhancements shall be required by condition.

Conditions

21. The Council has suggested conditions that both parties have had the opportunity to comment upon and which I have considered against advice in the Framework and Planning Practice Guidance (PPG). As a result, I have made some amendments for consistency and clarity purposes. Given the advanced stage of the barn conversion construction which has been described by the Council as significantly commenced, I have not included a time limit condition, as this is not considered to be necessary.
22. In my judgement, conditions are necessary in respect of ensuring the development is carried out in accordance with the approved plans, in appropriate materials and mortar and using the agreed construction method. Conditions are also necessary to ensure that windows, doors and rooflights are in accordance with those as shown on the plans, to provide certainty and clarity and to safeguard the character and appearance of the area.

23. I have not included the suggested condition relating to the parking layout to be provided as shown on the Proposed Detailed Block Plan. This plan is not included in the approved plans as set out by the Council in their suggested conditions. A block plan is shown in the Environmental Audit² supporting document, however this block plan appears to relate to an earlier planning consent that did not include the garage area. Therefore, the parking plan could not be implemented in full accordance with this plan and would not be enforceable. However, it is necessary to include a condition that requires on-site parking and turning areas to be brought into use prior to the occupation of the dwelling, for the purposes of highway safety, to ensure that cars do not obstruct the narrow road outside the site.
24. The PPG states that conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity and that blanket removal of freedoms to carry out small scale domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. I have included suggested conditions relating to the removal of permitted development rights for fences, walls and gates and for classes A-E of the Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. I am satisfied that it is reasonable and necessary to remove permitted development rights for fences, walls, gates, extensions, roof alterations, porches and curtilage buildings. Due to the nature of the host dwelling, its historical agrarian character and the historical character of the area, and the removal of these permitted development rights will enable to Council to carefully manage future development at the site should it arise.
25. However, I do not find that the removal of permitted development rights for class F relating to hardstanding to be reasonable, given the agrarian character of the site and the conditions relating to Class F set out in paragraph F.2 which provide adequate restrictions.
26. I have included a condition relating to foul water drainage, this condition is necessary to ensure that adequate drainage is provided for the proposed dwellinghouse to prevent pollution of the water environment, the drainage shall be installed prior to first occupation.
27. I have included a condition relating to the installation of nest boxes at the site, this is necessary in the interests of biodiversity at the site.
28. A condition has been suggested by the Council relating to contaminated land, this condition is necessary to ensure that contamination risks are appropriately managed.
29. An additional condition suggested by the Council's Highways Officer relating to a dilapidation survey was suggested in representations. These were not indicated as necessary in the appeal documents by the Planning Officer and, given the modest scale of the proposed development, I do not consider that the suggested condition is necessary in this instance.

² Brief Environmental Audit prepared by TJ Booth Associates, reference rep-tjba-wildman-branch rd farm-brief env audit-101219.docx.

Conclusion

30. For the reasons set out having regard to the development plan as a whole and all other matters raised, the appeal is allowed.

N Duff
INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing no. W1058-02D Existing and Proposed Site Plans and Garage Plans
Drawing no. W1050-07B Cross Section A
Drawing no. W1050-08B Cross Section B
Drawing no. W1050-09B Cross Section C
Drainage Plan 1:200
Drawing no. W1050-03B Proposed Ground Floor Plan
Drawing no. W1050-04B Proposed First Floor Plan
Drawing no. W1050-05B Proposed Second Floor Plan
Drawing no. W1050-06B Proposed Elevations
Drawing no. W1050-10B Existing Wall Detail
- 2) Construction of the dwelling hereby approved shall be undertaken in accordance with the details include in the 'Report on Structure', prepared by Healey Consulting, ref: 21314, dated May 2021 and revised 24th June 2022 and the structural noted included on the drawings hereby approved.
- 3) The materials used externally for construction of the main roof and walls of the building shall be those salvaged from demolition of the barn and these shall match those of the existing building in terms of type, colour, texture and scale. In the event there are insufficient quantities of salvaged materials to complete the external roof and walls, prior to the use of any other building materials samples and / or full specifications of materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
- 4) No development above ground level in relation to the detached garage hereby approved, shall take place until details of the materials to be used in the construction of the external surfaces of the detached garage hereby permitted have been submitted to and approved in writing by the local planning authority. The materials shall include natural stone, natural stone slates to match the barn reconstruction and oak doors with a natural finish. The development shall be carried out in accordance with the approved details.
- 5) The mortar used on the building shall be a hydraulic 3.5 lime mortar in accordance with the details shown on the product sheet produced by The Lime Centre, Product Name: Heritage NHL Mortar and the pointing of the building shall be with a brushed finish.
- 6) Windows and doors shall first be installed in accordance with the details shown on drawing no. 06 Revision B (Building Regulation Elevations) and retained thereafter.
- 7) Rooflights shall be first installed in accordance with the details shown on drawing no. 06 Revision B (Building Regulation Elevations) and drawing no. 07 Rev B

(Cross Section A) and retained thereafter.

- 8) The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing no Drawing no. W1058-02D Existing and Proposed Site Plans and Garage Plans. Thereafter those spaces shall be retained for the parking of vehicles only.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order shall be undertaken within the curtilage of the dwellinghouse hereby permitted.
- 11) Foul water drainage of the site shall be to a Marsh Ensign 40P treatment plant or suitable equivalent and located as identified on Drainage Plan 1:200. The treatment plant shall be installed and connected to the dwelling prior to first occupation and be retained as such thereafter.
- 12) Two Schwegler 1B nest boxes or suitable equivalent shall be installed in accordance with the details shown on Drawing no. W1050-06B Proposed Elevations prior to the first occupation of the dwellinghouse and retained as such thereafter.
- 13) The development shall be carried out in full accordance with the Brief Environmental Audit prepared by TJ Booth Associates, reference rep-tjba-wildman-branch rd farm-brief env audit-101219.docx.
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with the approved scheme. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.