

BURNLEY BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

Date: 23rd February 2018

PART III

Town and Country Planning Act 1990

Planning Appeal by Mr D Lord

APP/2017/0484 Appeal against the refusal to grant for the Proposed roof lift and change of use of a detached garage/workshop to form dwelling at Honeyholme Farm, Honeyholme Lane, Cliviger.

1. Background

The appeal relates to a large domestic garage situated within the curtilage of a large house at Honeyholme Lane within the rural area on the edge of Cliviger village. The proposal was to raise the roof height of the garage to create a two storey dwelling. Planning permission had previously been granted to raise the roof height of the garage to use as a domestic workshop (APP/2017/0076) which has not yet been implemented. Planning permission was refused for the following reason:-

“The proposed development would lead to the creation of a new isolated dwelling in the countryside at an unsustainable location away from main urban areas and would have a detrimental effect on the openness and appearance of the rural area, thereby failing to achieve the environmental and social dimensions of sustainable development, contrary to Policy GP2 of the Burnley Local Plan, Second Review (2006), Policy SP4 of Burnley's Local Plan, Submission Document, July 2017 and the National Planning Policy Framework.

2. Estimate of cost of officer time - £400

3. Main Issues

The Inspector identified the following as the main issue:-

- whether the proposal would be a suitable form of development in this location, having regard to access to services and its effects on the character and appearance of the area.

4. Appeal Decision

The Inspector DISMISSED the appeal.

5. Relevant Policy

GP2 – Development in rural areas of adopted Local Plan (2006)

SP4 – Burnley’s Local Plan, Submission Document (July 2017)

The National Planning Policy Framework

6. Inspector’s Considerations

The Inspector stated that although Policy GP2 was adopted some time ago, it broadly complies with the National Planning Policy Framework (NPPF) and therefore afforded it considerable weight. She also gave significant to the NPPF and only limited weight to the emerging local plan.

The appellant had argued that Policy GP2 allows the re-use of an existing building but the Inspector notes that the re-use should not have a materially greater impact on the rural environment than the existing development. The appellant relied on a fall-back position of a recent permission for a roof lift to form a first floor workshop which he said would be a comparable development. The Inspector points out that the development would be higher than the approved development (6.6m instead of 5.8m to the ridge) and that this difference would be significant.

The Inspector considered that the development would be prominent in views from the public footpath that runs close to the garage and that the roof lift combined with the alterations to the external appearance of the building and residential curtilage would introduce a more suburban form of development into this rural area. It would intensify the use of the domestic area and materially alter the appearance of the site.

In respect of paragraph 55 of the NPPF [which states that new isolated homes in the countryside should be avoided unless there are special circumstances], the Inspector had regard to a high Court judgement that the appellant had made reference to. The Inspector noted that there is a ribbon of houses further along the lane and on Burnley Road, a railway line nearby and village to the north east of the site, and as such, the site is not “far away from other places, buildings or people; remote” and for this reason the development would not be isolated. However, she states that the development would not be within a defined settlement and future occupants would have to travel to access goods and services to meet day to day needs. The bus service was taken into account but given that it is relatively infrequent, she concluded that the limited level of accessibility weighs against the development.

7. Inspector’s Conclusion

The overall visual impact of the proposal would have a materially greater impact on the rural environment than the existing development and would conflict with Policy GP2 which seeks to restrict development in the countryside to that appropriate to a rural location. The harm that would result from the impact on the character and appearance of the area and its limited accessibility would not be outweighed by other considerations, including any limited benefits from the development.

Background Papers

Planning application file APP/2017/0484

The above papers are available for inspection from Planning and Environment Services,

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