
Appeal Decision

Site visit made on 29 November 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 December 2016

Appeal Ref: APP/M0655/W/16/3157238

Former agricultural building (adjacent to Croft Stables), Spring Lane, Croft, Warrington, Cheshire, WA3 7AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Allen against the decision of Warrington Borough Council.
 - The application Ref 2016/28068, dated 7 May 2016, was refused by notice dated 21 June 2016.
 - The development proposed is the construction of a brick double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt so the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework);
 - the effect upon the openness of the Green Belt;
 - if the proposal is found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether or not the proposed development would represent inappropriate development

3. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless they fall within various specific categories which include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building. Warrington Local Plan Core Strategy (CS) Policy CS5 indicates that development proposals within the Green Belt will be approved where they accord with relevant national policy.
 4. The Council explains that the existing dwelling has a footprint of some 95 SqM and the proposed garage, which would be single storey with a pitched roof,
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would have a footprint of approximately 59 SqM which would amount to an increase in floor area of some 63%. The appellant has not disputed these figures. I consider that this substantial level of enlargement would be disproportionate over and above the size of the original building.

5. Therefore, the proposal does not fall within any of the exceptions set out in Paragraph 89 of the Framework and is inappropriate within the Green Belt. It would conflict with CS Policy CS5. As stated in paragraph 87 of the Framework, inappropriate development is, by definition, harmful to the Green Belt. In accordance with paragraph 88 of the Framework substantial weight needs to be given to this harm.

Openness

6. The proposal would introduce built development where currently none exists in an open and highly visible location within the Green Belt. The garage would be away from the road frontage but this would not mitigate its effect upon openness. Therefore there would be some harm to the openness of the Green Belt.

Other Considerations

7. The appellant says that the garage would accommodate a car and a lawn mower, etc for garden maintenance. However, this does not justify the large size of the garage and keeping a car in a garage is not essential to provide adequate living conditions. The appellant says that the garage would be of a high quality design and would have no adverse effect on neighbours but this lack of harm is a neutral consideration.

The Green Belt Balance

8. The proposal would constitute inappropriate development in the Green Belt. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight and that inappropriate development 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 is clearly outweighed by other considerations.
9. I give the harm to openness moderate weight against the proposal and I give the requirement for storage minimal weight in favour of the proposal. In conclusion, the other considerations do not clearly outweigh the totality of substantial harm that arises as a result of the development's inappropriateness. The very special circumstances necessary to justify the proposal do not therefore exist.

Other Matters

10. The appellant has referred to planning permission for a house and a double garage on another site. However, the Council has confirmed that this is an agricultural worker's dwelling and therefore different policy considerations apply.

Conclusion

11. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

Siobhan Watson

INSPECTOR