

Appeal Decision

Site visit made on 25 April 2017

by **I Jenkins BSc CEng MICE MCIWEM**

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

Decision date: 11 May 2017

Appeal Ref: APP/W4325/D/17/3171729

Parkfield Cottage, Park Road, Meols, CH47 7BE

- 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 Mrs Lynn Croxton against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/17/00034, dated 5 January 2017, was refused by notice dated 1 March 2017.
 - The proposed development is described as build a 4 metre projection x 5 metre width conservatory to the rear of the house. The proposed conservatory will be coming off of an already existing 2.7 metre projecting extension, making the total projection with them combined 6.7 metres.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues in this case are: whether the proposal would be inappropriate development in the Green Belt, having regard to any relevant Development Plan policies and the *National Planning Policy Framework* (the Framework); the effect on the openness of the Green Belt; the effect on the visual amenity of the countryside; and, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

3. The appeal property is a detached dwelling, which is situated within the Green Belt, and the proposal involves the addition of a conservatory extension.
 4. The reasoned justification for Policy GB5 of the *Unitary Development Plan for Wirral, 2000* (UDP) indicates that the Council wishes to avoid any disproportionate extensions to the original dwelling. To that end, the Policy confirms that the extension of existing dwellings in the Green Belt will be permitted, provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling. The reasoned justification for the Policy also identifies that any proposed building with a volume greater than 10 m³ and within 5 metres of the existing building will be considered as an extension to the dwelling.
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5. I understand that, in this case, additions which have already been made to the original dwelling include a rear extension and an outbuilding, for which planning permission Ref. APP/75/03606 was granted in 1975. The Council has calculated that the cumulative effect of the previous rear extension and the proposed conservatory would be to increase the floorspace of the original dwelling by significantly more than 50%. If account is also taken of the outbuilding, which has a volume greater than 10 m³ and is sited within 5 metres of the main dwelling, the increase would be even greater. These matters are not disputed by the appellant. It follows, whether or not the outbuilding is accounted for, that the appeal scheme would contribute to disproportionate extensions of the original dwelling and would conflict with UDP Policy GB5.
6. The Framework confirms that in the Green Belt, the extension or alteration of a building that would result in disproportionate additions over and above the size of the original building should be regarded as inappropriate. I consider therefore, that the proposal would amount to inappropriate development in the Green Belt. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

7. The Framework indicates that the essential characteristics of Green Belts are their openness and their permanence. In this context, I consider that open can be taken to mean the absence of development. The site of the proposed conservatory is occupied at present by an area of hardstanding and a rotary clothes line. The erection of the proposed conservatory in that space would enclose it to a greater extent and consolidate development hereabouts. This would diminish the openness of the Green Belt, albeit to a limited degree.
8. I conclude that the proposal would harm the openness of the Green Belt, albeit the level of harm would be low.

Other considerations

9. The appeal site, which fronts onto the northern side of Park Road, adjoins the curtilage of a dwelling to the west and there are fields to the northwest and northeast. Due to its position at the rear of the dwelling and planting along the side boundaries of the site, the proposal would be unlikely to be visible from either Park Road or the neighbouring dwelling. I consider that, as a result, it would be unlikely to harm the visual amenity of the countryside hereabouts. The absence of harm in this respect does not weigh for or against the scheme.
10. To the northeast of the site, across a number of fields, there is a caravan site in the Green Belt, which the appellant suggests has been allowed to expand by the Council. However, I give this matter little weight. Whilst I have not been provided with any further details, it appears likely that the circumstances are materially different from those in the case before me, which involves an extension to a building, in relation to which particular policy constraints apply. In any event, each case must be considered primarily on its own merits and, in my view, the existence of the caravan site would not justify harmful development of the appeal site.

11. Whilst I have no reason to doubt that the additional accommodation provided by the proposed conservatory would be of value to the appellant, no evidence has been provided to show a particular need for it. I give this matter moderate weight.

Conclusions

12. Having regard to UDP Policy GB5 and the Framework, the proposal would amount to inappropriate development in the Green Belt and it would harm the openness of the Green Belt, albeit to a limited extent. The Framework confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Furthermore, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I conclude on balance that the harm to the Green Belt by reason of inappropriateness together with the harm to the openness of the Green Belt is not clearly outweighed by other considerations. Therefore, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist and the scheme would not amount to sustainable development under the terms of the Framework. Furthermore, it would conflict with the Development Plan.
13. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR