
Appeal Decision

Site visit made on 24 July 2017

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 3 August 2017

Appeal Ref: APP/P2365/D/17/3174646

2 Ash Villas, Mairscough Lane, Downholland, L39 7HT

- 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 Sarah-Jayne Smith against the decision of West Lancashire Borough Council.
 - The application Ref 2017/0124/FUL, dated 1 February 2017, was refused by notice dated 27 March 2017.
 - The development proposed is a single storey extension to existing 2 storey semi-detached dwelling with pitched roof measuring 4x5m.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; (ii) the effect on the openness of the Green Belt; and (iii) if the development is inappropriate, 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 proposal.

Reasons

Inappropriate development

3. The appeal site lies in the Green Belt as designated in the West Lancashire Local Plan Proposal Map. The property is a semi-detached dwelling that was originally two cottages. The dwelling benefits from front, side and rear extensions¹ and it is set back from Mairscough Lane. Open fields are to the front and rear while Lydiate is to the south. The dwelling is at the end of a row of five dwellings that are accessed from a slip road off Mairscough Lane.
4. Policy GN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document (Local Plan) which explains that "*Development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.*" The Framework establishes that new buildings in the Green Belt are inappropriate unless they are one of the exceptions listed in paragraph 89. Such exceptions include the extension or alteration of a building provided that

¹ Council Application Refs: 1981/0878 and 1979/0402

it does not result in disproportionate additions over and above the size of the original building.

5. The proposal involves an extension to the existing dwelling. Notably, the proposed extension has been reduced in size compared to an earlier application² which was refused planning permission by the Council.
6. The Council's Supplementary Planning Document Development in the Green Belt (SPD) explains in Policy GB4 (b) that *"the total volume of the proposal, together with any previous extensions, alterations and non-original outbuildings, would not result in an increase of more than 40% above the volume of the original building."* While I do not have any specific percentage figures before me, the plans indicate that the dwelling's volume has already increased by over 50% compared to the original building³. This increase does not include the proposed extension or any non-original outbuildings, which should also be included in the assessment according to the SPD.
7. Even though the Framework does not specify what a disproportionate addition is, the Council's SPD provides a very useful gauge of whether new development may be considered to represent a disproportionate addition. The proposal together with the prior extensions and outbuildings would result in a significant increase beyond the volume of the original building. Hence the appeal scheme would represent a disproportionate addition to the dwelling.
8. As a result, the proposal is inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the Framework states that substantial weight should be given to any harm to the Green Belt. The proposal would also be contrary to Local Plan Policy GN1 which requires development proposals within the Green Belt to be assessed against the Framework.

Openness

9. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
10. As the extension would be to the rear of the dwelling it would not be visible from the lane. However, the proposal would still result in a material loss of openness of the Green Belt, as it would be larger than the existing single storey element near to the fence. I recognise the property has, unlike neighbouring dwellings on the slip road, land to the side and that there is a conservatory to the rear of 1 Ash Villas. Even so, the footprint and volume of the proposal would be larger than the existing house, regardless of the overall plot size. Thus, the proposal would materially detract from the openness of the Green Belt in conflict with paragraph 79 of the Framework.

Other considerations

11. I recognise the design of the extension has been changed in response to Local Plan Policy GN3. This would result in the extension being further away from the shared boundary with No 1 along with a central roof pitch which has been reduced in height. I do not disagree with the Council's view that the scheme

² Council Application Ref: 2016/0287/FUL

³ The 'original building' is defined within the NPPF as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. (Supplementary Planning Document Development in the Green Belt)

would not have a significant impact on No 1 or in terms of the scheme's integration with the host building, in terms of architectural style, character, scale, form and its external appearance in tune with Local Plan Policy GN3.

Conclusion

12. The appeal scheme would be inappropriate development in the Green Belt and result in a loss of openness. By definition these are harmful and I attach them substantial weight as required by paragraph 88 of the Framework. As such there is a clear conflict with the environmental role of sustainable development.
13. I have considered matters put before me in favour of the scheme by the appellant, however I conclude that these other considerations taken together do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist and the proposal does not represent sustainable development.
14. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR