



Appeal Decision

Site visit made on 17 September 2019

by E Symmons BSc (Hons), MSc

an Inspector appointed by the Secretary of State

Decision date: 08 October 2019

Appeal Ref: APP/W4325/D/19/3231945

Quarry Cottage, Hill Bark Road, Frankby, Wirral CH48 1NT

- 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 Steve Bradley against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/19/00140, dated 28 January 2019, was refused by notice dated 3 April 2019.
 - The development proposed is for erection of an extension at the side of the property to form a two storey conservatory extension with slate covered pitched roof (Resubmission APP/18/01349).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is an error in the dimensions shown in submitted plan 6454/03. The main parties agree that the depth of the proposed extension would be three metres but disagree on the proposed width. This affects the main parties' floorspace measurements which therefore range between 14.55 to 15.00 square metres (m²). I have considered this discrepancy within my decision. Measurements throughout have been rounded to two decimal places.
3. Within a previous planning consent¹ a bedroom at the eastern end of the original dwelling was proposed to be demolished. I note this point however, it does not form part of the proposal before although, within my decision, I have considered its effect upon floorspace measurements.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt and the purposes of including land within it;
 - the effect of the proposal on the character and appearance of the original building; and

¹ APP/01/5593.

- if it is 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 necessary to justify the development.

Reasons

Whether it is Inappropriate Development in the Green Belt

5. Paragraph 145 of The National Planning Policy Framework² (the Framework) states that the construction of new buildings in the Green Belt should be regarded as inappropriate, other than for several exceptions. Paragraph 145 of the Framework states that extensions should not represent a disproportionate addition over and above the size of the original building. Policy GB5 of the Wirral Unitary Development Plan 2000³ (UDP) seeks that extensions to existing buildings within the Green Belt should not exceed 50% of the original habitable floorspace.
6. The original property consisted of a single storey dwelling with a detached barn and garage which stood around seven metres away from the cottage. The garage was demolished, and the former barn converted into a kitchen. A two-storey link extension was built to join the barn and cottage. For the purposes of Policy GB5, it is reasonable to suppose that the barn and garage did not comprise habitable floorspace and should not be included within this measure. However, I have no certainty that this was the case and for the purposes of this appeal I have included these floor areas. The appellant has submitted calculations by D J Cooke and Co Ltd and from this data, the floorspace of these areas amounts to 24.3m² for the barn and 21.0m² for the garage respectively. The Council has also considered this option.
7. The parties disagree on whether the proposal would represent an increase in habitable floorspace in excess of 50% of the original dwelling. I have considered both the Council and Mr Cooke's calculated habitable floor areas and measurements and there are slight discrepancies between the two. I agree with Mr Cooke's measurement of the original dwelling floorspace as 120.54m² and his subsequent calculation that to comply with Policy GB5 the total floorspace should not exceed 180.81m².
8. Using Mr Cooke's measurements, the available floorspace for further additions, to comply with Policy GB5, equals this maximum total (180.81m²) minus the existing total floorspace which equals the original cottage, barn and garage areas, plus the 2001 additions and minus the demolished garage which equates to 165.64m². The resultant surplus floor area available for the current proposal is stated by the appellant as 15.18m². However, the existing cottage ground floor area (area N) does not include the retained bedroom (area C). This room is shown on Mr Cooke's existing ground floor plans as 4.4m x 3.8m and the area is calculated by the appellant as 16.72m². This omission has occurred because area C is not shown on the drawing labelled 'Proposed Ground Floor' which Mr Cooke use to calculate area N. Therefore, the available floorspace (15.18m²) should be reduced by the size of the retained bedroom (16.72 m²).

² National Planning Policy Framework, February 2019.

³ Wirral Unitary Development Plan (Including Minerals and Waste Policies). Written Statement. Adopted February 2000.

The current increase in habitable floorspace has therefore already exceeded the 50% limit within Policy GB5.

9. Notwithstanding any conclusions regarding whether or not the extension would represent more than a 50% increase in floorspace, with respect to extensions in the Green Belt, paragraph 145 (c) of the Framework makes more general reference to the "size" of any proposed additions. This includes both measurements and volume. The 5.5 metre high conservatory would sit to the west of the two-storey part of the dwelling and their upper eaves heights would be equivalent. Even if there was scope to further increase the floorspace, the height and volume of the extension would, in combination with the other additions to the original single storey cottage, represent a disproportionate addition to the original dwelling. Accordingly, it would conflict with Policy GB5 of the UDP. As I do not consider that any of the remaining exceptions within paragraph 145 of the Framework apply to this development, this proposal represents inappropriate development for the purposes of Green Belt policy.

Openness

10. The detached appeal property sits alone at the end of a driveway which is accessed off Hill Bark Road. This dwelling, along with other nearby scattered dwellings and small settlements, sits within open countryside and the area has a rural character. The property is partly screened by trees and is separated from the road by a field. Despite the presence of vegetation along Hill Bark Road the two-storey part of the appeal property is visible beyond the field from this viewpoint.
11. The original dwelling and associated buildings were all single storey. The proposal would make the most prominent two-storey part of the host property larger. This would increase its mass and so its impact upon the openness of the Green Belt. The increased mass would be visible against the trees beyond the property. Although the proposal is mainly glass in construction it would have a solid roof which would add mass. The glass itself would reflect light and internal lighting would be visible during the hours of darkness which would also affect the openness of the Green Belt.
12. Policy GB5 seeks that proposals should not harm the surrounding character and appearance of the area. Although this policy does not specifically reference openness, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All development must preserve this openness and in accordance with paragraph 144 of the Framework, the harm to the openness of the Green Belt I have identified must be afforded substantial weight.

Character and appearance

13. Policy HS11 of the UDP seeks that extensions should not harm the appearance of the host property or the living conditions of neighbouring occupiers. This policy is supported by Wirral Council Supplementary Planning Guidance on House Extensions 2004⁴ (SPG). This document advises that extensions should reflect the character of the host property regarding design, scale and materials. Although the proposal is more contemporary, having a mainly glass structure, it would complement the traditional host building. The proposal would have a

⁴ Wirral Metropolitan Borough Council Supplementary Planning Guidance on House Extensions. Adopted July 2004.

lower ridge height than the host roof and the roofing materials would match the existing. There would be no harm to the living conditions of occupiers at neighbouring properties. The proposal would therefore not harm the character and appearance of the original building and would not conflict with Policy HS11. This would therefore represent a neutral factor within my planning balance.

Other considerations

14. The proposal would not harm the living conditions of neighbouring occupiers, nor would it harm highway safety. It would allow addition of a conservatory to the property which would improve the living conditions of the occupiers of the property however, this is a private benefit which I also afford limited weight. No other considerations which would weigh in favour of the development have been put forward by the appellant.

Other Matters

15. The appellant is dissatisfied with the way the Council has dealt with this application. Whilst I note the appellant's concerns, this is a matter between the appellant and the Council in the first instance.

Green Belt Planning Balance

16. The proposal has been found to constitute inappropriate development and the Framework indicates that this is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The harm I have identified to the openness of the Green Belt also carries substantial weight.
17. The other considerations which arise have limited weight in favour of the proposal and do not outweigh the totality of the harm due to the loss of openness to the Green Belt. The effect of the proposal on the character and appearance of the area has a neutral impact within this decision. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal conflicts with GB5 of the UDP and the Green Belt policies within the Framework when taken as a whole.
18. For the reasons given, I conclude that the appeal should be dismissed.

E Symmons

INSPECTOR