



Appeal Decision

Site visit made on 16 September 2019 by Hilary Senior BA(Hons) MCD MRTPI

by A U Ghafoor BSc (Hons) MA MRTPI

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

Decision date: 22 October 2019

Appeal Ref: APP/P2365/D/19/3234696

Sandiholme, Sandy Lane, Lathom, Ormskirk, L40 5TU

- 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 and Mrs Littler against the decision of West Lancashire Borough Council.
 - The application Ref 2019/0583/FUL, dated 12 June 2019, was refused by notice dated 18 July 2019.
 - The development proposed is erection of a detached triple garage and home office space, with dormers in loft space.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. These are as follows: (1) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies, (2) the effect on the openness of the Green Belt and (3) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation - *Inappropriate development*

4. The appeal site lies within the Green Belt designated in the West Lancashire Local Plan 2013 (LP). The appeal relates to the erection of a two-storey detached triple garage, with home office space and dormers in the loft space. It would be set in a generously sized grassed and treed garden and would be approximately 65 m away from the existing detached dwelling.
5. The Framework establishes that new buildings in the Green Belt are inappropriate, except in certain circumstances including where they involve an extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building as set out in paragraph 145(c). An assessment of whether the proposal would be disproportionate to the original building is a matter of planning judgement. LP Policy GN1 states that proposals in the Green Belt will be assessed against national policy.

6. Both parties have considered the proposed building as an extension to the host dwelling, but this is incorrect. The existing dwelling would be located considerable distance away from the proposed triple garage, which would be sited at the far end of the garden. The proposal cannot reasonably be considered as an extension to the host building. The garage and home office should be regarded as a new curtilage building. It would not fall within any exception category set out in paragraph 145 to the Framework and therefore constitute inappropriate development in the Green Belt.

Openness

7. The proposed garage would be a three-dimensional structure and would be situated in area of the garden that does not currently have built development. The two-storey building would be located some distance from the existing dwelling and its overall size would diminish openness. Despite the existence of the tall hedge and existing trees, the development would be visible given the overall location of the garage. The development would erode openness in visual and spatial terms. In addition, the building would represent encroachment into the countryside, which conflicts with at least one of the purposes of designating land inside the Green Belt. Accordingly, the proposal would conflict with LP Policy GN1.

Other Considerations

8. The appellant argues that the plans show that two trees will be removed as a result of the proposal, but the proposed development would have a detrimental effect upon the locality given the scale of the building. There is concern about the handling of the planning application and pre-application advice, but this is not for my determination.

Conclusion and Recommendation

9. The development constitutes inappropriate development and would cause harm to openness of the Green Belt. This is a matter to which substantial weight is given. There is conflict with local and national planning policy cited above. The potential effect of the development on trees is given minimal weight and very little, if any, to the pre-application argument. The advanced considerations in support of the appeal do not, on balance, clearly outweigh the conflict with planning policies designed to protect the Green Belt. There are no very special circumstances to justify the development. For the reasons given above and having regard to all other matters raised, I recommend that the appeal should be dismissed.

Hilary Senior

APPEALS PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be dismissed.

A U Ghafoor

INSPECTOR