



Appeal Decision

Site visit made on 7 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 17th January 2020

Appeal Ref: APP/D2320/D/19/3239795

The Hollies, 132 Bolton Road, Anderton, Chorley PR6 9HN

- 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 Chris Bracegirdle against the decision of Chorley Borough Council.
 - The application Ref 19/00678/FULHH, dated 11 July 2019, was refused by notice dated 20 September 2019.
 - The development proposed is erection of a single storey rear extension.
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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 of the proposal on the openness of the Green Belt; and
 - iii) If the scheme 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 it.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal property is a relatively modest single storey dwelling in a closely-spaced ribbon of residential development on the outskirts of Anderton. The surrounding area is predominantly undeveloped rural countryside and the property is in the Green Belt.
4. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Policy HS5 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document Adopted July 2015 (the LP) sets out that where proposals are in the Green Belt, the proposed extension should not result in a disproportionate increase in the volume of the original dwelling. In this respect, Policy HS5 is consistent with

paragraph 145 of the Framework which states that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of listed exceptions. The relevant exception in this appeal is paragraph 145 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

6. The Framework does not define 'disproportionate'. However, Policy HS5 of the LP states that increases of up to 50% (volume) are not considered disproportionate. The Council's Central Lancashire Rural Supplementary Planning Document Adopted October 2012 clarifies that where proposals result in an increase of over 50% of the volume of the original building that stood in 1948, they are likely to be considered disproportionate.
7. In this case, the Council estimates that the proposal would increase the volume of the original building by approximately 84%. Although the precise dimensions of the dwelling have not been provided, the appellant does not dispute that there would be an increase of over 50% of the original volume of the property. Consequently, the proposal would represent a significant increase in the volume of the dwelling.
8. Therefore, on the basis of the evidence before me, the appeal scheme would result in disproportionate additions over and above the size of the original building. For this reason, the proposal would be inappropriate development in the Green Belt and it would conflict with Policy HS5 of the LP and the policies that protect the Green Belt in the Framework.

Openness of the Green Belt

9. The Framework advises that openness and permanence are the essential characteristics of the Green Belt. Openness is the absence of development and it has both spatial and visual aspects.
10. The appeal site is to the rear of the property and comprises a raised patio area and part of the garden which is at a lower ground level and slopes away from the property. The extension of the building into the garden would result in a small spatial loss of openness.
11. Notwithstanding that the proposal is relatively modest in size, there would nevertheless be a significant increase in the bulk of permanent development at this site. While the proposal would not be in a prominent location to the front of the property, it would be visible from the road between The Hollies and No 134. It would also be visible from locations elsewhere, including the wider countryside to the rear of the property. Therefore, there would be a visual impact resulting in a small loss of openness of the Green Belt in this location.

Other Considerations

12. While the proposal would provide additional internal living space, there is nothing before me to suggest that the appeal property does not provide an acceptable standard of living accommodation. Therefore, and although there are larger properties elsewhere, the size of the property does not justify the proposal and this is a matter that carries limited weight in my assessment.
13. My attention has been drawn to residential development elsewhere in the area. However, in the absence of details of those schemes, I cannot be certain that they are directly comparable to the appeal scheme or that they provide a

justification for it. Each scheme must in any case be determined on its own merits and the presence of development elsewhere is therefore a matter which carries limited weight.

14. The evidence indicates that an extension of nearly the same size could be built using permitted development rights. However, no details of any such development have been provided and there is little evidence to suggest that permitted development rights would be exercised in the event that the appeal should fail. This does not therefore appear to be a genuine fallback position in this case and accordingly I give this matter limited weight in my assessment.
15. The appellant considers that the proposal would make use of underutilised and wasted land. However, the use of part of the garden to extend the property is not a benefit of the scheme. The appeal property currently contributes to the housing stock in the borough and I am not persuaded that the proposal would make any significantly greater contribution to meeting future housing needs. The absence of objections to the proposal does not demonstrate an absence of effects. Therefore, these matters carry neutral weight in my assessment.
16. The neighbouring property No 134 is in an elevated position relative to the appeal property. It has been extended to the rear, beyond No 132, and there are windows in the facing side elevation of the extension. The extension is surrounded by a narrow terrace with open metal railings. Consequently, there are opportunities for overlooking between the rears of the neighbouring properties. The appellant's desire to increase his privacy is therefore understandable and I accept that the proposal would prevent overlooking from the neighbouring extension. However, there is little before me to suggest that there are no alternative means that would deliver substantially the same benefit without the harm to the Green Belt. This is therefore a matter that carries limited weight.

Green Belt Balance

17. I have concluded that the proposal would be inappropriate development in the Green Belt. It would result in a loss of openness, albeit small, of the Green Belt. In accordance with the Framework, these matters attract substantial weight.
18. The Framework states that inappropriate development should not be approved except in very special circumstances. In this case, there are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

19. For the reasons set out above, the appeal should be dismissed.

Sarah Manchester

INSPECTOR