



Appeal Decision

Site visit made on 29 October 2019 by Hannah Ellison BSc (Hons) MSc

Decision by V Lucas LLB (Hons) MCD MRTPI

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

Decision date: 27 January 2020

Appeal Ref: APP/P2365/W/19/3235263

5 Blythe Meadow, High Lane, Ormskirk, L40 7GA

- 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 Alan Hughes against the decision of West Lancashire Borough Council.
 - The application Ref 2019/0330/FUL, dated 3 April 2019, was refused by notice dated 6 June 2019.
 - The development proposed is an extension to rear of existing detached garage.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Alan Hughes against West Lancashire Borough Council. This application is the subject of a separate Decision.

Appeal Procedure

3. 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

4. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt and;
 - If found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and if so, whether this amounts to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

5. This appeal concerns a single storey detached garage located within the grounds of a Grade II Listed Building (Blythe Meadow) which has been

converted to flats and undergone various extensions and alterations. The site is located on the south eastern side of High Lane, within the Green Belt between Ormskirk and Burscough. The proposal is for an extension to the rear of the garage.

6. Policy GN1 of the West Lancashire Local Plan 2012-2027 (the LP) concerns settlement boundaries and notes that development proposals within the Green Belt should be assessed against national policy.
7. The National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate. However, it sets out certain circumstances, listed in paragraphs 145 and 146, which can be considered as exceptions. The exception set out in paragraph 145c relates to development that involves an extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. The Framework does not explain what a disproportionate addition means therefore an assessment of whether the proposal would be disproportionate to the original building is a matter of planning judgement.
8. The West Lancashire Borough Council Supplementary Planning Document, Development in the Green Belt, October 2015 (the SPD) recommends that the total volume of the extension should not result in an increase of more than 40% above the volume of the original building. The appellant suggests that this proposal would satisfy this criteria, however I have not been provided with any figures to support this. Furthermore, volume is only one consideration when assessing whether a proposal would be disproportionate.
9. The existing garage is single storey and of modest footprint. The evidence before me indicates that this proposal would increase the footprint of the original garage by more than 50%. As such, it would represent a sizeable increase in the floorspace and massing of the original building, resulting in a disproportionate addition. The proposal would not therefore fall within an exception under paragraph 145c of the Framework and therefore constitutes inappropriate development in the Green Belt. For the same reasons the proposal would conflict with policy GN1 of the LP.
10. The submitted evidence indicates there is a disagreement between the main parties relating to the land on which the proposed development would be located. The appellant states it is garden space whereas the Council consider it to be paddock land. This is relevant in so far as assessing the proposal against the paragraph 146 exception which states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The list includes material changes in the use of land (c).
11. Whilst the proposal would increase the footprint of the building, it would be largely screened from public vantage due to the mature boundary treatment. There would be some glimpses of the proposal from the open entrance to the site however they would be limited, and it would be read in context of the existing garage.
12. However, in spatial terms, the extension would introduce built form to an area currently devoid of development, thus increasing the overall bulk of development present within the site. Consequently, the proposal would result

in harm to the openness of the Green Belt and encroachment into the countryside.

13. The proposal would not therefore meet the Framework's paragraph 146c exception. Additionally, I have previously found that the proposal would result in disproportionate additions that would conflict with policy GN1 of the Local Plan and paragraph 145c of the Framework. Therefore, even if I were to accept the appellant's case that the proposal would not result in a change of use of the land, this would not alter my overall conclusion that the proposal would be inappropriate development in the Green Belt.
14. Drawing matters together, I have found that the proposal would be inappropriate development in the Green Belt.

Effect upon openness and purposes

15. Paragraph 133 of the Framework states a 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.
16. The reasoning on the first main issue above has found that the proposal would be harmful to the openness of the Green Belt and would conflict with one of the purposes of the Green Belt as it would result in encroachment into the countryside.

Other considerations

17. The proposed extension to the garage is to facilitate the parking of a car and provide some storage space. It is acknowledged that modern day vehicles are increasing in size and many original garages can no longer accommodate cars. However, it was observed that the existing garage is of a generous length and good width and I have not been provided with any evidence which suggests why a car cannot be parked within it. Nonetheless, be that as it may, I am not convinced that the proposed extension is the absolute minimum required to accommodate an average sized vehicle. As such, this matter carries limited weight in favour of the proposal.
18. It is suggested that the resultant garage would largely reflect the scale and appearance of an adjacent outbuilding. It is noted the Council have raised no objection on this basis and whilst I have no reason to disagree with this view, this is a neutral matter rather than one which carries weight in favour of the proposal.
19. The proposal would be within the setting of the grade II listed former farmhouse. It is a two-storey detached building, finished in red brick to the front elevation. It appears to have been significantly altered, with the addition of various single storey extensions. The existing garage is well separated from the building and the proposed extension would be to the rear and finished in materials to match. Therefore, taking this and the scale of the proposed development into consideration, this proposal is considered to preserve the setting of the Listed Building. This is a neutral matter rather than one which carries weight in favour of the proposal.

Whether very special circumstances exist

20. The Framework states that inappropriate development is harmful to the Green Belt and should not be permitted except in very special circumstances. The proposed development would constitute inappropriate development in the Green Belt to which substantial weight is given. The proposal would also detract from the openness of the Green Belt and conflict with one of the purposes of including land within it.
21. I have also identified neutral considerations, including that the proposal would match the scale and appearance of an existing outbuilding and that the proposal would preserve the setting of the Listed Building. However, a lack of harm does not outweigh the harm that I have identified.
22. On the other hand, I have attached limited weight in favour to the need for the appellant to enlarge the garage.
23. Accordingly, I conclude that the considerations advanced in support of the appeal do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

24. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

V Lucas

INSPECTOR