
Appeal Decision

Site visit made on 29 June 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 15 July 2020

Appeal Ref: APP/V4250/D/20/3246913

56A Wigan Road, Shevington, Wigan WN6 8AP

- 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 Christopher Heaton against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/19/87757/HH, dated 19 August 2019, was refused by notice dated 2 October 2019.
 - The development proposed is single storey rear extension to dwelling.
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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. The main issues are:
 - 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;
 - the effect on the openness of the Green Belt;
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

4. The appeal site, which lies within the designated Green Belt, is a previously extended brick built dwelling. It is set back from the highway with a driveway and parking area to the front and is within a row of development with a mix of house types.
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 145c. Original building, the Framework explains, is a building as it existed on 1 July 1948 or, if it was constructed after that date, as it was built originally.

6. The Framework does not explain what a disproportionate addition means. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning judgement. Policy GB1B of the Wigan Replacement Unitary Development Plan (2006) seeks to protect the Green Belt by limiting the sum of additions to the original property to not more than 200m³.
7. In this case the dwelling has been previously extended with the addition of a first floor¹. The Council have indicated that, during the application process, the proposal was amended to reduce the footprint of the dwelling. Although I do not have the details of the previous extension before me, I understand that the approved extension was in line with the requirements of saved policy GB1B as it measured approximately 185m³. I note that permitted development rights were removed from the extended dwelling to control any subsequent extensions.
8. The appeal proposal is for a single storey rear extension which would extend the rear of the dwelling by 3.3 metres across the full width of the dwelling of approximately 9.7 metres. It would be 2.9 metres in height. The approximate additional volume would be 93m³. Both parties agree that the proposal would exceed the 200m³ policy guidance when added to the volume of the previous extension, and from all I have seen and read have no reason to disagree with this assessment.
9. Consequently, the proposal would constitute a disproportionate addition to the dwelling and would not therefore fall within exception set out in paragraph 145c of the Framework. It would therefore be inappropriate development in the Green Belt.
10. In accordance with the paragraph 143 of the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness

11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness and permanence are essential characteristics of the Green Belt.
12. I note that the proposed extension would be located on a current raised patio area at the rear of the property and would not project into the wider garden area. Sited at the rear it would be largely hidden from view from the public realm. However, openness, in the context of the Green Belt can be taken to mean the absence of built development. The proposal would increase the footprint and massing of the building and therefore in spatial terms this would lead to, albeit limited, harm to openness.
13. Therefore, in terms of the effect of the development on the openness of the Green Belt as a whole, any harm would be limited.

¹ Application A/12/76946

Other considerations

14. The Framework states that 'very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
15. I note that there is a mix of dwelling types in the vicinity of the appeal site including both single and two storey dwellings. Although the proposed extension would extend the full width of the dwelling, it would be single storey and be subservient to the host property. In addition, it would not result in a dwelling that is out of proportion with the surrounding properties and I note the appellant's point that it would have no greater footprint or volume than surrounding dwellings. I give this matter limited weight in favour of the proposal.
16. The Council found that there would be no harm to the living conditions of adjoining neighbours and from all I have seen and read I have no reason to disagree. The lack of harm to the living conditions of neighbours, is however, a neutral factor.
17. I acknowledge the appellant's requirement for additional living space within the property which would also be enjoyed by future occupiers. I have no doubt that the proposal would provide enhanced living conditions for a family. This is a benefit of the proposal which attracts limited weight in its favour.

Very Special Circumstances and Conclusion

18. For the reasons set out above, the development constitutes inappropriate development in the Green Belt. Furthermore, there would be limited harm to the openness of the Green Belt. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt.
19. As set out above, other considerations put forward in support of the proposal attract limited weight in favour of the proposal. Consequently, they do not clearly outweigh the substantial harm as set out above. Therefore, I conclude that the very special circumstances needed to justify the development in the Green Belt have not been demonstrated. As such the proposal would conflict with the Framework, and Policy GB1B of the Wigan Replacement Unitary Development Plan (2006), Policy CP8 of the Wigan Local Plan Core Strategy (2013).

Recommendation

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

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth INSPECTOR

