
Appeal Decision

Site visit made on 7 July 2020 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/P2365/D/20/3249307

1 Moss Lane, Banks, Southport PR9 8EE

- 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 E Tinsley against the decision of West Lancashire Borough Council.
 - The application Ref 2019/1305/FUL, dated 18 December 2019, was refused by notice dated 21 February 2020.
 - The development proposed is two storey side and single storey rear extension to existing 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 in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property and surrounding area and, linked to that, on the significance of the non-designated heritage asset;
 - 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

4. The appeal dwelling is a two-storey end of terrace cottage, located within the Green Belt on Moss Lane at the corner with Square House Lane. This proposal seeks permission for a two-storey side and single storey rear extension.
5. Policy GN1 of the West Lancashire Local Plan 2012-2027 (the LP) notes that development proposals within the Green Belt should be assessed against national policy. Paragraph 145 of the National Planning Policy Framework (the Framework) states that new buildings should be regarded as inappropriate development in the Green Belt subject to a number of exceptions. 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, is one of these exceptions at paragraph 145c.
6. The Framework does not explain what a disproportionate addition means, however 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, together with any previous extensions, alterations and non-original outbuildings, should not result in an increase of more than 40% above the volume of the original building.
7. Whilst the proposal includes the removal of a non-original conservatory, from the evidence before me it is clear that both main parties agree that the proposal would represent a sizeable increase in the volume of the original dwelling. It is acknowledged that the 40% limit of the SPD is guidance and therefore open to interpretation. However, in this case the proposal would result in an increased volume that would be significantly above 40%. Furthermore, the extension would represent a sizeable increase in the footprint and floorspace of the original dwelling. As such, this proposal would result in a disproportionate addition to the original dwelling and would constitute inappropriate development for the purposes of the Framework and policy GN1 of the LP.

Effect upon openness and purpose of the Green Belt

8. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both visual and spatial aspects.
9. Whilst the proposal would be read in context with the existing dwelling and wider built form, due to its scale and siting it would be highly prominent from public vantage. In spatial terms, a substantial part of the extension would introduce development over an area of the appeal site which is currently undeveloped. The proposal would therefore be harmful to the openness of the Green Belt.

Character and Appearance

10. The Council consider the appeal dwelling to be a non-designated heritage asset. It is of considerable age and of similar character to the wider terrace, albeit each property appears to have undergone various alterations. The original cottage is of modest proportions and its limited scale contributes to its significance as a non-designated heritage asset. Due to its corner location, the appeal site has generous space to the side which contributes towards the relatively open setting of the dwelling.

11. Policy EN4 of the LP states that there will be a presumption in favour of the protection and enhancement of existing non-designated heritage assets which have a particular local importance or character which it is desirable to keep. Paragraph 197 of the Framework requires that in weighing applications that directly or indirectly affect non-designated heritage assets, that a balanced judgement is made having regard to the scale of any harm or loss and the significance of the heritage asset.
12. The proposed side extension would significantly extend the host dwelling over two storeys and would project the full depth of the property. It would also have a considerable width, extending up to the side boundary, thus eroding the open character of the appeal site. Therefore, the extension would fail to read as a subservient addition as it would introduce substantial massing to the modest host dwelling and would significantly alter its original form, appearance and siting. For these reasons it would erode the significance of the building as a non-designated heritage asset.
13. I have taken into consideration the appellant's contention that the proposal should be considered in terms of the bulk and massing of the terrace as a whole. However, even in that context and taking account other existing extensions, it would still read as a sizeable addition which would unbalance the visual appearance of the terrace.
14. Therefore, for the reasons set out above, this proposal would harm the character and appearance of the host dwelling and wider area as well as the significance of the non-designated heritage asset. It therefore conflicts with policies GN3 and EN4 of the LP, and the Framework, in terms of the conservation of heritage assets and the design and siting of the host dwelling.

Whether very special circumstances exist

15. The Framework advises that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
16. The proposed development would constitute inappropriate development and would cause harm to the openness of the Green Belt, to which substantial weight is given. Further harm would be caused to the significance of the non-designated heritage asset. No considerations in support of the appeal have been advanced. Therefore, the very special circumstances necessary to justify the development do not exist.

Other Matters

17. The appellant is concerned that the planning application was refused as they did not enter into pre-application discussions with the Council. However, this is a matter for the Council and I have determined the appeal strictly on its merits and have found it would cause harm as identified above.

Conclusion and Recommendation

18. 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

19. 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