
Appeal Decision

Site visit made on 21 July 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2020

Appeal Ref: APP/M0655/D/20/3254003

Greenacres, Delph Lane, Winwick, Warrington WA2 0RQ

- 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 John Wilkinson against the decision of Warrington Borough Council.
 - The application Ref 2020/36447, dated 16 December 2019, was refused by notice dated 1 May 2020.
 - The development proposed is a rear extension to the 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 dwelling and the wider area;
 - The effect of the proposal on the living conditions enjoyed by the occupiers of the adjacent property 'Sunningdale', with particular regard to light and privacy 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

4. This appeal concerns a detached two storey dwelling located on the south side of Delph Lane and within the Green Belt. The appeal site also includes a detached garage and the property has been previously extended at ground floor level. Permission is sought for a two-storey rear extension.
5. Policy CS5 of the Warrington Borough Council Local Plan Core Strategy (July 2014) (the LPCS) states that development proposals within the Green Belt will be approved where they accord with relevant national policy. The National Planning Policy Framework (the Framework) establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, 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, therefore an assessment of whether the proposal would be disproportionate to the original building is a matter of planning judgement. However, the Warrington UDP – Supplementary Planning Guidance – House Extensions (December 2003) (the SPG) advises that an increase in floorspace of more than a third (both previous and proposed extensions) added to the original dwelling within a Green Belt area would be disproportionate.
7. The proposed extension would introduce substantial built form over two storeys. It would span the full width of the original dwelling and would project significantly into the rear garden. The calculations before me indicate that this proposal would result in a 74% increase in floorspace above the original dwelling. This is considerably above the recommended increase as noted in the SPG and in this context the proposal would therefore result in a breach of the Council's definition of a disproportionate extension. The Framework refers to size rather than floor space and given the dimensions, bulk and mass of the extension taken with the increased floorspace I am satisfied that this represents a disproportionate addition in the context of the Framework as well.
8. Therefore, the proposal would result in a disproportionate addition to the original dwelling and would constitute inappropriate development in the Green Belt for the purposes of the Framework and Policy CS5 of the LPCS.

Effect upon openness of the Green Belt

9. Paragraph 133 of the Framework advises that a fundamental aim of Green Belt policy is to keep land permanently open; 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.
10. There are wide views of the appeal dwelling across open countryside to the rear as the site lacks extensive rear boundary treatment. Whilst the proposed extension would be read in context with the existing dwelling, it would nevertheless remain highly prominent. Due to its overall considerable scale and massing, the proposed extension would introduce significant built form over an

area of the appeal site which is currently undeveloped, thus also reducing the openness of the Green Belt in spatial terms.

11. The appellant notes that the proposed extension would be covered by the large trees on site. At the time of my site visit I observed that planting within the site comprised predominantly of shrubs and flowers. There are mature trees on the adjacent site to the east, known as Penny Trees. Whilst they may restrict views of the extension from that direction, it would still be readily visible across open countryside to the south. Moreover, even if the existing planting on site were to mature, the absence of visual intrusion does not in itself mean there is no impact on openness, and it would remain that the proposal introduces substantial built form over an area that is currently undeveloped.
12. For these reasons, the proposal would be harmful to the openness of the Green Belt, contrary to Policy CS5 of the LPCS and the Framework.

Character and appearance

13. The original dwelling has a shallow depth compared to its width. The proposed extension would span the full width of the original rear elevation and would have a substantial projection into the rear garden, which would be greater than the depth of the original property. This would result in a significant addition to the scale and massing of the dwelling. The resultant two storey side and rear elevations would substantially alter the form and appearance of the original dwelling. Furthermore, it would have a flat roof design which would exacerbate the proposals bulky appearance. The extension would not therefore read as a subservient addition, but rather an overly dominant alteration which fails to reflect the characteristics of the host dwelling.
14. Whilst the extension would be positioned to the rear, due to its excessive projection it would be visible from the public realm. By reason of its scale, massing and design, it would read as a visually intrusive and incongruous addition in the street scene.
15. The Council has raised concerns with the proposed use of render as it would not match the red brick of the original dwelling. At the time of my site visit the front of the property was already finished in render. As such, this part of the proposal would be considered acceptable as it would be in keeping with the front of the dwelling.
16. Taking all the above into consideration, the proposed extension would harm the character and appearance of the host dwelling and the wider area, and would conflict with Policy QE7 of the LPCS which seeks to ensure proposals are designed to harmonise with the scale, proportions and materials of existing buildings and enhance the character, appearance and function of the street scene, amongst other things.

Living conditions

17. The neighbouring property 'Sunningdale' is located immediately to the west of the appeal site and is separated by a low timber fence. It has an existing single storey rear extension positioned along the boundary with the appeal site. The Council are concerned that the proposal would result in overshadowing to the rear garden of Sunningdale, particularly in the morning.

18. Whilst the proposed rear extension is of a considerable depth and positioned close to the shared boundary, given the generous size of the neighbouring garden and presence of its existing extensions, I do not consider that this proposal would result in a significant loss of direct sunlight. Therefore, I am satisfied that this proposal would not cause substantial overshadowing to the rear garden of Sunningdale that would severely harm the living conditions enjoyed by the occupants of the neighbouring property.
19. The proposal includes two first floor balconies on the rear elevation, one of which would serve the proposed master bedroom and would be positioned closest to the shared boundary with Sunningdale. It would have metal railings on all three sides. They would be of a size that would afford an opportunity to include some element of seating which would allow for prolonged periods of stay. Therefore, due to their size, elevated position, distance from the shared boundary and design of the balustrades, the balconies would provide opportunity to overlook the private external space of Sunningdale, thus resulting in a loss of privacy for the occupiers of that property.
20. Consequently, this proposal would harm the living conditions of neighbouring occupiers in terms of privacy. It would therefore conflict with Policy QE6 of the LPCS whose purpose, amongst other things, is to ensure developments respect the living conditions of existing neighbouring residential occupiers in relation to overlooking/loss of privacy and sunlight.

Other considerations

21. The appellant notes that the existing property is currently not suited in terms of size and they require more space for their growing family. I acknowledge that the restricted depth of the existing dwelling may create limitations for family living. However, there is little information before me to demonstrate why an extension of the proposed scale and massing is needed to provide the required living accommodation and I am not therefore persuaded that the proposal is the minimum necessary. Whilst I do not set aside this matter lightly, it does not justify the overall scale and massing of the extension and I therefore afford this consideration limited weight.
22. I do not doubt that the proposed extension would be finished with modern standards of insulation and energy saving measures. Whilst this would be a benefit of the proposal, it is a matter which I afford little weight given the small scale of the development.

Green Belt Balance

23. The Framework states 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.
24. The proposed development would constitute inappropriate development and would cause harm to its openness, to which substantial weight is given. Further harm would be caused to the character and appearance of the host dwelling and wider area and the living conditions of neighbouring occupiers. I give these harms considerable weight.

25. The advanced considerations in support of the appeal, whether taken individually or cumulatively, do not, on balance clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

26. The proposed development conflicts with the development plan and there are no material considerations that indicate a decision otherwise would be appropriate. Therefore, 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

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

Kenneth Stone

INSPECTOR