
Appeal Decision

Site visit made on 18 August 2020

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2020

Appeal Ref: APP/W4325/D/20/3252399

2 Castlefields Estate, Leasowe, Wirral CH46 3RL

- 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 Parsons against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/00101, dated 22 January 2020, was refused by notice dated 11 March 2020.
 - The development proposed is bungalow extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework, 2019 (the Framework) and any relevant development plan policies;
 - 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
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development in the Green Belt

3. The Framework sets out the Government's planning policies for England and is an important material consideration in all planning decisions. Paragraph 145 of the Framework sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless it meets one or more of a list of exceptions. This includes that the extension or alteration of a building does not result in disproportionate additions over and above the size of the original building. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

4. The appeal site is a detached two-bedroom bungalow located on a private road with single-storey extensions¹ of a conservatory design on both side elevations. There are existing outbuildings and a caravan on the appeal site to the front of the dwelling. The property is a replacement dwelling granted consent in 1997².
5. Policy GB5 of the Wirral Unitary Development Plan (UDP), 2000 sets out that the extension of existing dwellings in the Green Belt will be permitted, provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling, and subject also to the enlarged dwelling not having a harmful visual impact on its surroundings.
6. The proposed development would result in a large projecting dual gable roof single-storey front extension and a side extension to the north-east of the property, replacing the conservatory extension. This would increase the rooms considerably to the dwelling going from a two-bedroom to a three-bedroom property, with the addition of a study, extended kitchen area and incorporating internal reconfiguration.
7. The Framework does not define the term 'disproportionate' and whilst I acknowledge that the scheme would replace the existing conservatory on the north-east elevation, the footprint and bulk of the property would still be significantly increased by the proposed extensions. The Council advise, in total the proposed extensions would be an increase of some 95% above the original dwelling. This is not disputed by the appellant, and as such there is no reason to disagree. Therefore, in that regard, the proposed development would not be of a limited scale or a proportionate addition when comparing to the original dwelling.
8. For the reasons given above, I conclude that the proposed development would be inappropriate development in the Green Belt as a result of a disproportionate addition over and above the size of the original dwelling. As such it would be contrary to Policy GB5 of the UDP and would conflict with the Framework.

Openness

9. As set out in paragraph 133 of the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics thereof being their openness and permanence. The physical presence of built forms may affect openness, which can also have a visual element. In that, the bulk of the building would be increased by additional built development and the proposal would reduce openness noticeably. In view of the above points, I conclude that the proposed development would have an appreciable impact on the openness of the Green Belt.

Character and Appearance

10. The appeal site is located along Castlefield Estate which is generally a single-track lane, with intermittent dwellings and buildings on either side of the highway. The appeal property is set back from the lane and is screened in part by mature vegetation to the frontage, despite this the dwelling can be viewed from along the lane.

¹ APP/08/05806

² APP/97/06667

11. I acknowledge that the Council did not refuse the application on UDP Policy HS11, however the Framework at Chapter 12 attaches the importance of good design and at paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
12. The proposed development would consist of a projecting single-storey extension at ground floor that would not match the existing roof form and be at odds with the simplistic design of the dwelling. It would project an excessive amount further forward and span the entire width of the original frontage. Although, located within a sizeable plot, the proposed development results in an incongruous addition by reason of its size and scale. It would be harmful to the appearance of the dwelling, whilst having an adverse impact on its surroundings. As such, I do not consider it has been carefully designed to enhance the visual amenity of the site or respect the character or harmonise with the original dwelling.
13. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the host dwelling. Accordingly, it would be in conflict with Policy GB5 of the UDP, relating to its visual surroundings and the aims of the Framework.

Other Considerations

14. The appellant sets out the proposals for a third bedroom would improve the internal layout, the removal of the conservatory would improve materiality and insulation, resulting in significant benefits to the current and future occupants. The appellant also considers they have shown the desire to commit and invest in the site. Whilst, this may be the case, and the decision of the Council may have come as a disappointment, the appellants personal circumstances in this instance carries limited weight in favour of the scheme.
15. I acknowledge that the proposal will not have any impact on the living conditions of neighbours including interface distances, overlooking or overshadowing. Nevertheless, these are not considerations to overcome the conflict with the development plan and the Framework. As such, they are a neutral factor in the consideration of the proposals.
16. The appellant has referred to the removal of permitted development rights at this location. It is not clear whether this relates to the existing dwelling as I have not been provided with any evidence. Even, if it were the situation these rights had been removed the role of the Inspector is to assess whether, or not, what is now proposed would represent a disproportionate addition. In this case, the proposed development is found to be, therefore I attach minimal weight.

Conclusion

17. The appeal scheme is inappropriate development in the Green Belt. This is harmful by definition. The proposal would lead to an appreciable loss of openness to the Green Belt which gives rise to additional harm. In each case, these harms render the appeal scheme contrary to the aims of both the policies of the development plan, as I have identified them, and the relevant sections of the Framework.
18. Against this, the other considerations that have been advanced are not sufficient, either individually or cumulatively, to clearly outweigh the harm to

the Green Belt and the other harm I have identified, including the effect on the character and appearance of the host dwelling. Consequently, the very special circumstances necessary to justify the development do not exist.

19. The proposed development would be contrary to the development plan and the Framework, taken as a whole. There are no other material considerations that would indicate that the proposed development should be determined other than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KA Taylor

INSPECTOR