
Appeal Decision

Site visit made on 28 July 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2020

Appeal Ref: APP/W4325/D/20/3254652

44 Mount Road, Higher Bebington CH63 5PL

- 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 Forrester against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/00342, dated 4 March 2020, was refused by notice dated 4 June 2020.
 - The development proposed is a single storey extension.
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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 and the purposes of including land within it; 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. The appeal dwelling is a two-storey detached property with detached double garage, located on the west side of Mount Road and within the Green Belt. Permission is sought for a single storey side extension which would fill the gap between the host dwelling and the detached garage.

5. Policy GB5 of the Wirral Unitary Development Plan (including Minerals and Waste Policies) Written Statement Adopted February 2000 (the UDP) states 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.
6. In so far as it seeks to ensure extensions are subordinate to the host property, this policy is consistent with paragraph 145 of the National Planning Policy Framework (the Framework) which 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. The Framework does not limit consideration of the matter to floorspace alone. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning judgement.
7. The original dwelling has previously undergone various extensions, which both main parties note has resulted in a 73% increase to the floorspace over that of the original dwelling. This proposal would further increase the floorspace and when combined with the previous extensions, the increase would be some 86%. The appellant is concerned that the Council have inaccurately calculated the floorspace of previous extensions. It is not clear whether the dwelling has been extended since the previous permission¹, through other means such as permitted development rights. Nevertheless, the appellant has not provided any further calculations and from all I have seen and read it is clear that the dwelling has already been significantly increased in size over the original building.
8. Taken on its own, I note both parties agree that the proposed extension would increase the floorspace of the property by 13% and I do not contest that this is a modest addition. The proposal would also be of limited scale given its single storey nature. Nevertheless, there is no doubt in my mind that as the appeal dwelling has previously been extensively extended, this proposal would be a further significant alteration to the original dwelling and would result in an increase to floorspace that is substantially above 50%, when considered cumulatively with previous extensions. Another way of looking at the matter is in terms of its appearance. The physical linking of the dwelling with the garage would significantly increase the apparent proportions of the building including its bulk and massing. Accordingly, taking into account the scale of the extensions already constructed, it would result in a building that would appear disproportionate, in terms of its size, to the original dwelling.
9. The appellant has drawn my attention to appeal decisions relating to proposals for extensions within the Green Belt in other districts, where planning permission was granted. I do not have the full details of these cases before me but nevertheless I note that in one case the Inspector considered the 'modest proportions' of the original dwelling would be maintained as a result of the development² and in the other that the proposal represented an 'inconsequential addition' to the building³. As set out, that is not the case here.

¹ Application ref: APP/09/06429

² APP/Y3615/D/16/3142269

³ APP/J1915/ D/18/3202886

Moreover, notwithstanding these decisions it is my duty to deal with the proposal before me on the site specific circumstances of this particular case.

10. I acknowledge that the proposed extension would infill the gap between the side elevation of the host dwelling and the detached garage. As such, the appellant considers this proposal would also fall to be assessed against paragraph 145e of the Framework. However, the Framework is clear that extensions to buildings are to be considered separately under paragraph 145c, whereas paragraph 145e concerns the construction of new buildings.
11. For the reasons set out above the proposal would therefore result in a disproportionate addition to the original dwelling and would constitute inappropriate development for the purposes of the Framework and Policy GB5 of the UDP.

Effect upon openness and purposes of the Green Belt

12. Paragraph 133 of the Framework states that the 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. The assessment of openness requires a consideration of both visual and spatial aspects.
13. The appeal dwelling is located at the end of a built-up frontage along Mount Road and the proposal would be read in context of the wider built form and the existing dwelling and detached garage. Due to its siting, the proposed extension would be visible from the public realm.
14. In spatial terms the development would result in additional built form in a gap between the host dwelling and garage which is currently undeveloped. This would increase the overall bulk of development present within the site and thus reduce the openness of the Green Belt in spatial terms.
15. On the basis that I consider the appeal site is within the established built-up frontage, I find that the proposal would not lead to an encroachment of development into the open countryside that is greater than is currently the case. However, taking the above together, and in the context of the Green Belt as a whole, this proposal would result in, albeit limited, harm to openness.

Other considerations

16. I have been provided with information indicating the medical conditions of the appellant and his wife and I acknowledge that the proposal has been designed to provide an easily accessible ground floor bedroom with en-suite. This would allow the appellant and his wife to remain independent in their home. However, I am not persuaded that the adaptation of the existing property could not also achieve this aim. Accordingly, the matter carries limited weight in support of the scheme.
17. The Council has not raised any concerns with the design of the proposed extension and its effect on the character and appearance of the host dwelling or wider area. Additionally, the appellant notes that the proposal would not result in additional activity or traffic. I have no reason to disagree with this assessment however a lack of harm on other grounds is a neutral matter that does not weigh in favour of the proposal.

Whether very special circumstances exist

18. 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.
19. The proposed development would constitute inappropriate development in the Green Belt and would cause, albeit limited, harm to its openness. The Framework advises that substantial weight should be given to any harm to the Green Belt. The advanced considerations in support of the appeal do not clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Other Matters

20. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age and disability. I do not doubt that the proposed development would accommodate the appellant and his wife into later life, through the creation of a ground floor bedroom with en-suite. However, I am unconvinced that dismissal of the appeal would deprive the appellant and his wife the opportunity to remain independent within their home. Moreover, any benefit of the scheme in this respect is set against the substantial harm the proposal would have on the Green Belt. Accordingly, it does not therefore follow that the appeal should succeed.

Conclusion and Recommendation

21. 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

22. 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