



Appeal Decision

Site visit made on 18 August 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2020

Appeal Ref: APP/M0655/D/20/3248145

Reedham, Broseley Lane, Culcheth and Glazebury, Warrington WA3 4HP

- 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 Stuart Chivers against the decision of Warrington Borough Council.
 - The application Ref 2019/35594, dated 7 August 2019, was refused by notice dated 18 December 2019.
 - The development is described as: 'Proposed Timber Garage'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, I saw that the development was in place at the appeal site and was substantially complete. I have dealt with the appeal on this basis.

Main Issues

3. The main issues of this appeal are:
 - i. whether the development would be inappropriate development in the Green Belt;
 - ii. the effect of the development on the openness of the Green Belt;
 - iii. the effect of the development on the character and appearance of the appeal site or surrounding area; and,
 - iv. if the development is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate development in the Green Belt

4. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
5. The national policy advice in the Framework has to be read together with the relevant development plan, Policies CS 1 and CS 5 of the Warrington Borough

Council Local Plan Core Strategy 2014 (CS), which conforms to the thrust of national Green Belt policy in these respects.

6. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 145 of the Framework. The appellant asserts that the development should be considered as an extension to the host dwelling and also refers to development of previously developed land in his submission. However, due to the nature, siting and location of the development in the front garden of the host dwelling, I do not consider the development to comply with the exceptions listed at Paragraph 145 c) or g).
7. Thus, the proposed development does not fall within the scope of the exceptions listed in paragraph 145, and therefore represents inappropriate development within the Green Belt and would therefore be at odds with CS Policies CS 1, CS 5 and the Framework in this regard.

Green Belt openness

8. The Framework indicates that openness is an essential characteristic of the Green Belt with a key objective being to keep land permanently open. The Planning Practice Guidance (PPG) identifies factors which can be taken into consideration when assessing the impact of a development on Green Belt openness. It states that openness is capable of both spatial and visual aspects.
9. The appeal site is located in the front garden of the host dwelling and is partially screened by mature trees and vegetation, which reduces its visual effect, especially on the front boundary of the host dwelling. Nevertheless, the effect on openness is not just about the degree to which a new building would be visible to the public realm but it is also concerned about the spatial aspect of encroachment on openness which can result from the cumulative effect of even small new buildings.
10. I recognise that the development is of a simple single storey design, relatively small in scale, occupying a small part of the front garden area. Nonetheless, the development introduces additional bulk and massing to the site and therefore, in spatial terms, would have a harmful impact upon the openness of the Green Belt. It follows that whilst the development would not be visually intrusive in terms of openness, it would nonetheless, have a harmful impact on openness due to its spatial characteristics.
11. For all of the above reasons, I conclude that the development results in a moderate loss of openness to the Green Belt. As such, it is contrary to the requirements of the Framework.

Character and appearance

12. The development comprises a detached garage, sited in front of the host dwelling, adjacent to the existing access. The facing elevations of the development is of timber construction with a tiled roof and the development is single storey in scale and appearance. The visual effect of the development is mitigated somewhat by the mature trees and vegetation on the front boundary. Nonetheless, the development is still visible from areas within the public realm.
13. The host dwelling and neighbouring properties are located in generous plots with little or no development to the front of the main buildings. This forms a

strong and positive characteristic in the street scene, meaning I consider that the appeal site is located within an area of similar properties that have maintained a sense of rhythm and balance. The proposal through its detached form and prominent location to the front of the site results in an incongruous addition that has an awkward relationship with the host dwelling and its neighbours. The resulting adverse effect is visible in the street scene to the detriment of character and appearance of the appeal site and surrounding area.

14. For all of the above reasons, I conclude that the development results in significant harm to the character and appearance of the appeal site and surrounding area. Consequently, the development is contrary to the design, character and appearance aims of CS Policy QE 7 and the requirements of the Framework.

Other considerations

15. Paragraph 144 of the Framework requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. Other considerations in favour of the development must clearly outweigh the harm. The appellant contends there are considerations that would outweigh harm arising from inappropriate development and any other harm to amount to very special circumstances.
16. The appellant's formal case to demonstrate very special circumstances, surrounds his car collection and the need to protect his high value vehicles, particularly from stray golf balls entering his property from Leigh Golf Club, which the site face from across the road. The appellant asserts that there have been numerous instances where golf balls have caused damage to his vehicles. Additionally, the appellant considers that the design of the development reflects the surrounding area.

Green Belt Balance

17. In summary, the development is inappropriate development in the terms set out in the Framework and leads to a moderate loss of openness to the Green Belt. Additionally, there is harm to the character and appearance of the appeal site and surrounding area.
18. I acknowledge that the development would provide security and shelter to the appellant from parking his vehicles in the development. However, I find the amount of detail submitted in support of the appellant's case to be limited. In any event, the considerations advanced by the appellant and in the wider evidence do not outweigh the harm identified in respect of the main issues, so as to amount to very special circumstances. Consequently, very special circumstances do not exist, and the proposed development conflicts with CS Policies CS 1, CS 5, QE 7 and the requirements of the Framework.

Conclusion

19. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR