



Appeal Decision

Site visit made on 24 August 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2020

Appeal Ref: APP/P2365/D/20/3255329

200 Graysons Farm, Hall Lane, Simonswood L33 4XX

- 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 Ian Mercer against the decision of West Lancashire District Council.
 - The application Ref 2020/0052/FUL, dated 20 January 2020, was refused by notice dated 20 April 2020.
 - The development proposed is a two storey side 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.

Preliminary Matters

3. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises a part two storey/part first floor side extension and front porch. The Council dealt with the proposal on this basis and so shall I.

Main Issues

4. The main issues are as follows:
 - i. Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - ii. The effect of the proposal on the openness of the Green Belt;
 - iii. The effect of the proposal on the character and appearance of the host property and the surrounding area; and
 - iv. If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Whether inappropriate development

5. Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension to a building will not be inappropriate provided that it would not result in disproportionate additions over and above the size of the original building.
6. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. However, it does not specify what might be a disproportionate addition over and above the size of the original building.
7. Policy GB4 of the Council's Supplementary Planning Document: Development in the Green Belt (2015) (SPD) provides useful guidance for alterations and extensions in the Green Belt. It states, amongst other matters, that in order for an extension to be acceptable, the total volume of the proposal, together with any previous extensions, alterations and non-original buildings, would not result in an increase of more than 40% above the volume of the original building.
8. The appeal property has already been extended. It benefits from a single storey addition to the side and rear as well as a porch area and store to the front elevation. The detached garage also appears to be a later addition. The green belt assessment submitted with the application sets out the footprint and volume of the existing dwelling compared to the proposed development. It does not provide the footprint or volume of the original dwelling. From the evidence before me, both main parties agree that the scheme, along with previous extensions, would result in the volume of the original building increasing by over 40%. The appellant asserts that as the 40% volume figure is for guidance only and the SPD highlights that development in the Green Belt would be considered on a case by case basis, the scheme should be considered in light of the massing of the neighbouring properties. Whilst I recognise that the 40% figure is guidance, as opposed to a policy requirement, it provides a useful benchmark and the figure allows for reasonably generous additions in the context of the strong policy requirement to protect the openness of the Green Belt.
9. Although there are larger dwellings and buildings within the vicinity of the site, the key consideration is whether the existing and proposed extensions would be disproportionate, in relation to the size and scale of the original building. A volume increase of over 40% would be substantial. Using the figures submitted in the green belt assessment the scheme would also result in around a 33% increase in footprint compared to the existing building. The footprint increase compared to the original building would be more than this. The proposed extension, along with the existing extensions, would result in a significant increase in the scale and massing of the dwelling compared to the original building. The development would result in a part two storey and part first floor side extension as well as a porch. Therefore, having regard to the volume and footprint increase the scheme would result in a disproportionate addition over and above the size of the original building.

10. Accordingly, based on the evidence presented, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt, having regard to Policy GN1 of the West Lancashire Local Plan 2012-2027: Development Plan Document (2013) (LLP), the SPD and the Framework.

Openness

11. 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.
12. The appeal site is, in part, screened from Hall Lane. The dwelling is set back from the highway and the boundary treatment largely conceals the ground floor of the existing dwelling. In addition, when travelling along Hall Lane in an easterly direction, the siting of Westview, prevents longer distance views of the appeal dwelling. Nonetheless, the proposed development would have a visual impact upon the openness of the Green Belt given the significant amount of bulk proposed to the side. The site is situated adjacent to a sharp bend where vehicles naturally slow down. The increase in scale and massing of the two-storey and first floor element would be evident from the highway whilst the porch would be less conspicuous.
13. The scheme would also have a spatial impact upon the Green Belt, regardless of any views, because of the increase in bulk, scale and massing. The two-storey element of the development would result in an erosion of space where there are currently no buildings.
14. Accordingly, having regard to the physical size of the proposal along with its location, the development would have a modest but detrimental effect on the openness of the Green Belt. As such, the proposal would conflict with the purposes of Green Belt policy, as stated in the Framework, to keep land permanently open.

Character and appearance

15. The Council acknowledge that the windows, materials and features respect the architectural style of the host dwelling. However, they consider that the flush design would result in a prominent and elongated elevation which would result in a bulky, overtly prominent addition.
16. The appeal property is semi-detached. The adjoining property, No. 202, has also been altered and extended to the front, side and rear. Thus, at present there is a lack of symmetry between the pair of semi-detached properties. The area is rural in character and forms part of a cluster of built development. Within the vicinity of the appeal site are dwellings and large agricultural buildings. The design and massing of these buildings differ and there is not a consistent appearance.
17. As highlighted in the previous section, the property is set back from the highway and Westview partially screens the dwelling. The existing property has a neutral impact upon the character and appearance of the area. The existing flat roof extension to the side of the property does not positively contribute to the character and appearance of the host building or area.

18. The proposal would undoubtedly alter the scale and appearance of the building and further diminish the symmetry with No. 202. Whilst the extension would not read as a subordinate addition given the flush design and ridge height, it would not detract from the over-riding character of the area nor unduly detract from the host building. The removal of the flat roof extension would improve the appearance of the dwelling and there would be a modest benefit in that regard. In addition, the extension would not appear prominent in the context of the surrounding built development.
19. Consequently, the proposed development would not unduly harm the character and appearance of the host building nor surrounding area. The scheme would comply with Policy GN3 of the LLP, the overall aims of the West Lancashire District Council Supplementary Planning Document: Design Guide (2008) and the Framework which collectively seek to promote good design, having regard to the surrounding area and existing building.

Other Considerations

20. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Apart from design considerations, as discussed above, no other considerations advanced in support of the proposal.

Conclusion and Recommendation

21. The Framework identifies that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt. I have concluded that the development constitutes inappropriate development in the Green Belt, which carries substantial weight and additional weight is given to its harm to the openness. Although I have found that the proposal would not harm the character and appearance of the host property or surrounding area and that the removal of the flat roofed extension would bring some benefit to the appearance of the building, this would not outweigh the considerable harm I have found in terms of the impact upon the Green Belt. As cited above, the proposal conflicts with Policy GN1 of the LLP, the SPD and the Framework. There are no material considerations to outweigh this conflict and the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.
22. For all of those reasons, I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR