



Appeal Decision

Site Visit made on 15 June 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 28th June 2021

Appeal Ref: APP/P2365/D/21/3270659

12 Rosemary Lane, Downholland, Ormskirk L39 7JP

- 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 Michael Crilly against the decision of West Lancashire Borough Council.
 - The application Ref 2020/1039/FUL, dated 6 November 2020, was refused by notice dated 15 January 2021.
 - The development proposed is described as 'single storey extension full width to rear.'
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Whether inappropriate development

3. The appeal relates to one half of a pair of two storey semi detached dwellings that are located in the Green Belt. Although there are other houses nearby, the surrounding area is rural and predominantly characterised by open fields and agricultural land.
4. Policy GN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document 2013 (Local Plan) advises that development proposals within the Green Belt will be assessed against national policies. The National Planning Policy Framework (the Framework) establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, it involves the extension of a building. This is providing it does not result in disproportionate additions over and above the size of the original building.

5. Neither the Framework nor the development plan define 'disproportionate'. However, the Council's Supplementary Planning Document entitled 'Development in the Green Belt' 2015 (SPD) provides useful guidance for alterations and extensions in the Green Belt. It advises that the total volume of the proposal, together with any previous extensions, alterations and non-original outbuildings, should not result in an increase of more than 40% above the volume of the original building.
6. It is uncontested that No 12 has been previously extended with a two storey side extension. The appellant's submitted Green Belt Assessment sets out that the total volume of the proposal together with the existing two storey side extension would be approximately 74% more than the volume of the original building. I have no substantive reason to question this figure.
7. Based purely on these statistical measurements the proposed extensions would lead to a substantial increase in the size of the original building. However, assessing proportionality is primarily an objective test based on size. Although the proposal would be of single-storey scale it would add to the bulk of the existing building, and consequently result in a significant cumulative increase in its volume.
8. As such I consider that adding the proposed single storey rear extension to the other extension would thereby result in disproportionate additions over and above the size of the original building. Consequently, the proposed extension would be inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the Framework, Local Plan Policy GN1, and advice in the SPD.

Openness and character and appearance

9. Paragraph 133 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This openness is an essential characteristic of the Green Belt and has a spatial and visual aspect.
10. I share the Council's view that the proposal has been designed so that it would respect the architectural integrity of No 12 and would not harm the character and appearance of the surrounding area. Nonetheless, the scale and bulk of the appeal building would be increased. Whilst I note the presence of a hedgerow around the perimeter of the rear garden area it would still be apparent from certain vantage points along Rosemary Lane. This would inevitably result in a reduction in the visual and spatial openness of the Green Belt, albeit to a marginal extent.

Other considerations

11. The appellant has drawn my attention to an extant planning permission (Ref: 2020/1040/FUL) on the site. However, I do not have the full details of this approved scheme before me and am therefore unable to compare the size and scale of the two schemes. In any event, I have determined the appeal proposal based on its own merits and therefore attribute minimal weight to this factor.
12. I have also been made aware of the appellant's family's need for additional space and desire to stay in the local area given that his parents occupy the adjoining neighbouring property. Nonetheless, personal circumstances will

seldom outweigh more general planning considerations, particularly where development would be permanent. For the reason that they could be repeated so often in Green Belt situations across the country, such personal circumstances are not on their own capable of amounting to very special circumstances in the terms of national planning policy. The personal circumstances of the appellant therefore carry little weight.

Conclusion

13. In conclusion I have identified that the proposal would be inappropriate development in the Green Belt as defined by the Framework. The Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, it would also marginally reduce the openness of the Green Belt. Although I do not consider that the proposal would have a harmful effect on the character and appearance of the dwelling and surrounding area these remain neutral factors in the overall Green Belt balance and do not attract any positive weight. Therefore, even when taken together, the other considerations reviewed above do not clearly outweigh the harm that the proposal would cause. Consequently, there are not any very special circumstances that are necessary to justify inappropriate development in the Green Belt.
14. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, I therefore conclude that the appeal should be dismissed.

Mark Caine

INSPECTOR