



Appeal Decision

Site visit made on 16 August 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2021

Appeal Ref: APP/M0655/W/21/3274447

Robet, 148 Phipps Lane, Burtonwood and Westbrook, Warrington WA5 4EU

- 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 Steve Hope against the decision of Warrington Borough Council.
 - The application Ref 2021/38503, dated 15 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is rear roof dormer extension, roof ridge height increased in height by 1.407m.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has confirmed that the name provided on the appeal form is incorrect, I have therefore used the correct name given on the application form in the heading above.
3. The first reason for refusal related to the Council's Supplementary Planning Guidance: House Extensions (2003) (SPG). Since the planning application was determined, the Council has adopted the House Extensions Supplementary Planning Document (2021) (SPD). The new SPD replaces the SPG. The adoption of the SPD is confirmed in the Council's statement, and the appellant has thus had the opportunity to respond at final comments stage. Accordingly, I have determined the appeal having regard to the recently adopted SPD.
4. Since the application was determined, a revised version of the National Planning Policy Framework (the 'Framework') has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal and have not therefore been prejudiced. The main parties did not have any comments on this matter.
5. The annotated width of the bungalow on the elevation and floor plan drawings differ. This results in the first-floor rear elevation windows not matching the width and spacing of the proposed first floor layout plan. The proposed rear elevation drawing also shows a single storey rear element across the full width of the property which appears to relate to a previously refused planning application.

6. The submitted plans therefore do not accurately show the proposed development. Regardless of which drawings are correct, the inconsistencies with the drawings are not so significant that they would alter my findings. Hence, I have not pursued this matter further with the main parties.

Main Issues

7. The main issues are as follows:

- Whether the proposal is inappropriate development in the Green Belt for the purposes of the Framework and development plan policy;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the surrounding area; and
- 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

Whether inappropriate development

8. Policy CS 5 of the Warrington Borough Council Local Plan Core Strategy (2014) (CS) sets out that development proposals within the Green Belt will be approved where they accord with relevant national policy.
9. Paragraph 149 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.
10. 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 considered a disproportionate addition over and above the size of the original building.
11. The new SPD is broadly consistent with the previous SPG. It states any extensions and additions that result in an increase in size of over 33% of the original building will be considered to be disproportionate and therefore unacceptable. This measurement is based predominantly on floorspace and volume.
12. The drawings indicate that the internal garage and utility room wall is thicker than other internal walls, and this suggests that this was the original external wall. Furthermore, it is likely that the chimney stack would have been an external feature, as is the case with the adjacent bungalow (Wilhead). Although the appellant states that the two garages were on the original plan of the site, they have not submitted any drawings or evidence to demonstrate that this is the case. Accordingly, I consider that the host dwelling has been extended in the past and would have originally been similar to Wilhead.

13. The proposal would not increase the footprint of the dwelling. Nevertheless, it would substantially increase the floorspace and volume of the dwelling. The appellant highlights that the existing outbuilding would be demolished. However, the outbuilding is visually unobtrusive due to its height, orientation and materials which blend with the adjoining fence. As stated above, it appears that the dwelling has been extended in the past and thus the footprint, floorspace and volume has already been increased.
14. Having regard to the Council's calculations, the proposal would increase the floorspace and volume by significantly more than 33% compared to the original dwelling. The appellant has not submitted any calculations or compelling evidence to suggest otherwise. Consequently, the scheme would substantially increase the scale and massing of the dwelling compared to the original building. Even if the dwelling has not already been extended, the scheme would introduce a new habitable first-floor and would substantially increase the floor area, scale and massing of the dwelling. The scheme would therefore result in a disproportionate addition over and above the size of the original building.
15. Accordingly, 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 CS 5 of the CS, SPD and Framework.

Openness

16. 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.
17. The appeal property is visible from Phipps Lane due to the low boundary wall. The increased roof ridge height would be evident from the road. The proposed rear roof dormer would be less conspicuous from the surrounding area because of the dwelling's siting, trees and existing surrounding built development. The scheme would therefore have a limited visual impact upon the openness of the Green Belt given that the main bulk of the extension would be to the rear.
18. The development would have a spatial impact upon the Green Belt, regardless of any views, because of the increase in bulk, scale and massing proposed and this would outweigh any spatial and visual benefits to openness that might arise from the removal of the outbuilding.
19. Consequently, the scheme would add to the cumulative bulk of the dwelling. The development would therefore not preserve the openness of the Green Belt, albeit the harm would be moderate due to the location of the main bulk of the extension as well as the removal of the outbuilding.

Character and appearance

20. The appeal property forms part of a row of three bungalows. These bungalows have a simple appearance and have a broadly consistent roof ridge and eaves height. Within the wider surrounding area are further bungalows and two-storey dwellings.
21. The proposal would not be higher than other dwellings within the wider surrounding area and matching materials are proposed. The increased height of the roof ridge would be conspicuous from this part of Phipps Lane and would

result in the proportion of brick to roof appearing at odds with the neighbouring bungalows.

22. The proposal would alter the aesthetics of the bungalow and would result in an elongated and top-heavy property which would unbalance the proportions of the dwelling. The property would appear uncharacteristic compared to the nearby dwellings. Accordingly, the scheme would compromise the character and appearance of the surrounding area on account of the increase in height, scale and massing.
23. Consequently, the scheme would conflict with Policy QE 7 of the CS which seeks, amongst other matters, to promote good design and to ensure proposals harmonise with the scale and proportions of adjacent buildings.
24. The scheme would also not comply with the Framework which, in paragraph 130, promotes the importance of good design and requires development to be visually attractive and sympathetic to local character.

Other considerations

25. The appellant states that the proposal hardly makes an impact on the Green Belt compared to nearby housing developments and that there are two-storey extensions nearby. The housing development would not have been assessed against the same Green Belt policy to the scheme before me due to the nature of the development. I do not have full details of the circumstances that led to these developments being approved, and in any event each application must be determined on its individual merits. Consequently, these considerations are not a factor that weigh in favour of the proposal.
26. The appellant also asserts that the proposal would have no impact on the environment. Whilst the scheme would not harm the natural environment, it would harm the Green Belt and character and appearance of the area. This consideration is not a factor that weighs in favour of the proposal.

Whether very special circumstances exist

27. The appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. It would also cause moderate harm to the openness of the Green Belt. The Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
28. I have given neutral weight to the other considerations highlighted by the appellant as they neither weigh in favour or against.
29. When drawing this together, the other considerations advanced in support of the appeal, whether taken individually or cumulatively, do not, clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion

30. For the reasons given above, the proposal would amount to 'inappropriate development' in the Green Belt. There are no very special circumstances to outweigh this harm. Furthermore, the proposal would compromise the

character and appearance of the surrounding area and the plans are inaccurate. Consequently, the proposed development would conflict with Policies CS 5 and QE 7 of the CS and would also not comply with the SPD or the Framework.

31. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR