



Appeal Decision

Site Visit made on 14 September 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/M0655/D/21/3277399

73 Glazebrook Lane, Rixton-with-Glazebrook, Warrington WA3 5BJ

- 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 Mark Pryal against the decision of Warrington Borough Council.
 - The application Ref 2020/36532, dated 04 February 2020, was refused by notice dated 28 April 2021.
 - The development proposed is the demolition of existing garage and utility room and construction of two storey side extension to north elevation and single storey extension to south elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing garage and utility room and the construction of a part two storey, part single storey side extension to north elevation and single storey extension to south elevation at 73 Glazebrook Lane, Rixton-with-Glazebrook, Warrington WA3 5BJ, in accordance with application Ref 2020/36532, dated 04 February 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (0-)A001, Block Plan (0-)A002 rev P01, Proposed Plans and Elevations (0-)A004 revP04.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The garage shown for demolition on approved plan 'Block Plan (0-)A002 rev P01' shall be demolished to ground level prior to first use of either of the extensions to the dwelling hereby approved.

Preliminary Matters

2. During the course of the Council's consideration of the planning application the appellant submitted revised plans showing the removal of part of a proposed larger extension to the southern side of the building. This is the scheme on which the Council made its decision. From the information before me it is unclear whether or not the Council reconsulted the relevant parties on the revised scheme. However, as a reduced scheme in comparison to the original set of plans, I do not consider that consultees interests would be prejudiced if I

take the revised proposals into account. I have amended the description to reflect the revised development and I have proceeded on this basis.

3. On 20 July 2020 the Government published a revised version of the National Planning Policy Framework (July 2021) (the Framework). However, the Green Belt policies that are relevant to this appeal have not changed and there was no need, therefore, to invite the parties to make further submissions in response to the revised Framework. The paragraph numbering for the Green Belt policies has changed and I have highlighted those changes in my decision.

Main Issues

4. The main issues are:

- whether the proposal would be inappropriate development within the Green Belt for the purposes of the Framework and the relevant development plan policy
- the effect of the proposal on the openness of the Green Belt
- if the development is inappropriate, 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

Green Belt

5. The Government's approach to protecting the Green Belt is set out in Section 13 of the Framework. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 (formerly Para. 145) of the Framework makes it clear that new buildings are inappropriate in the Green Belt. However, an exception is made in the case of 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.
6. Policy CS5 of the Warrington Borough Council Local Plan Core Strategy [2014] (CS) states that the Council will maintain the general extent of the Green Belt until 2032 and development proposals within it will be approved where they accord with relevant national policy.
7. The site consists of a 2-storey detached dwelling located on a corner plot with gardens to front, side and rear. Single storey extensions have previously been added at the rear of the house. A detached garage and a flat-roofed outbuilding are located to the rear. The site is enclosed by a low wall backed by vegetation to the front and side boundaries forward of the building. To the rear and rear side boundary the land is enclosed by panel fencing and high gates.
8. The proposal includes a two-storey side extension with single storey element to the rear. The single storey element would align with an existing single storey rear extension. An existing small conservatory type extension would be removed and replaced with an extension to the opposite (southern) side of the existing rear extension. A detached garage would be demolished.

9. There is no definition within the Framework as to what degree of extension should be regarded as 'disproportionate' in comparison to the size of the original building. However, the Council's House Extensions Guidelines Supplementary Planning Guidance (SPG) states that, as a guideline, the Council generally considers an increase in floorspace of more than a third (both previous and proposed extensions) added to the original dwelling would be disproportionate.
10. The appellant's plans indicate that the increase in floorspace and volume would be about 40% compared to the original. However, it is uncertain from the evidence before me what has or has not been included within that calculation. Nevertheless, it is clear to me that the proposal would add more than half again to the width of the property and increase the degree of extension to the rear of the building. Together with the existing additions, the overall degree of extension to the original building would be considerable and would clearly exceed the guideline within the SPG.
11. However, the SPG advises that each case must be considered on its own merits. It is clear, by their very presence, that the extensions would have some spatial and visual impact on the openness of the Green Belt. However, the proposal includes the demolition of the existing large garage sited closest to the house. Although there is little before me to make a direct volumetric or area comparison, the garage is of some scale and its removal would reduce the existing volume and footprint of development within the site.
12. The garage is not an extension to the house but there would be a beneficial effect on the openness of the Green Belt through its removal. This could be secured through a planning condition. In comparing the footprint and scale of the garage to the proposed cumulative extensions, I find that some net loss of openness would result. However, the effect would be similar to that of a development meeting the Council's guideline for floorspace increases such that no undue impact on openness would occur.
13. Furthermore, the building is set within a row of development surrounded by woodland on the western side of Glazebrook Lane. A longer row of similar properties lies on the opposite side of the road which is backed by housing along Carlton Way. Notwithstanding the width of the road, the common appearance and close siting of the buildings reads as a moderate density housing estate. The containment by the woodland strengthens the visual association of the site with the development opposite and views of the site are largely restricted to those where it is seen with the surrounding built development.
14. In this context the scale of the proposed extension, which would appear subordinate on account of the stepped front elevation and lower overall ridge, would not appear disproportionate. It would be seen in the context of larger buildings consisting of semi-detached blocks or houses with a similar degree of extension to that proposed. This includes the neighbouring dwelling at 71 Glazebrook Lane, which has a two-storey extension to the rear. Although the main extension would encroach towards a short access road to the side of the plot, the sense of openness about the road junction and within the western row would be largely retained.
15. I note the concerns of the Council in respect that other outbuildings could be constructed following the demolition of the garage. Nevertheless, it is for me to

consider the proposal on the basis of the information before me. If such rights exist on the site it would be open for the appellant to utilise them as he could now. The fact that the site lies within the Green Belt does not generally prevent such development taking place. Furthermore, the appellant has demonstrated that there may be other alternative development proposals which could take place at the site without a formal application for planning permission. This could include large scale extensions to the dwelling which could have a comparable or greater effect than the scheme before me.

16. Taking all of the above together, I find that, in the particular circumstances of the case, the proposed domestic extensions would not appear disproportionate to the original building. It would not constitute inappropriate development in the Green Belt and would therefore align with the requirements of Policy CS5 of the CS and the Framework as they seek to preserve the openness and permanence of the Green Belt.
17. As I have found that the proposal would not constitute inappropriate development and would not therefore cause undue harm to the openness of the Green Belt, it is not necessary for the appellant to demonstrate very special circumstances to justify the development.

Other Matters

18. I note the frustrations expressed by the appellant in relation to the time taken for the Council to reach its decision. However, this is not a matter for this appeal, which I have determined on its own merits.

Conditions

19. I have considered the suggested conditions from the Council and had regard to Paragraph 56 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
20. In the interests of visual amenity, a condition requiring the use of matching external materials is reasonable. To secure the balance of protection to the openness of the Green Belt a condition specifying the timing of the proposed demolition of the garage is reasonable and necessary.

Conclusion

21. For the above reason, the appeal should be allowed.

R Hitchcock

INSPECTOR