
Appeal Decision

Site visit made on 21 September 2021

by Helen B Hockenhull BA (Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2021

Appeal Ref: APP/P2365/W/21/3269136

Asmall Hall Care Home, Asmall Lane, Scarisbrick, L40 8JL

- 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 Paul McLaughlin, Benridge Care Group against the decision of West Lancashire Borough Council.
 - The application Ref 2020/0129/FUL, dated 12 February 2020, was refused by notice dated 25 August 2020.
 - The development proposed is a two-storey extension to the rear and single storey extension to adjacent lounge.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As the works relate to a listed building, I have had regard to section 66(1) of the Planning (Listed Buildings and Conservation areas) Act 1990 (the Act).

Main Issues

3. The main issues in this case are:
 - whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, and the effect of the development on the openness of the Green Belt;
 - whether the proposal would preserve a Grade II listed building, Coach House approximately 20 metres east of Asmall House (Ref: 1073111) and any of the features of special architectural or historic interest that it possesses;
 - the effect of the development on protected species, in particular bats;
 - if the development is inappropriate, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the development.

Reasons

4. Asmall Hall forms a large extended property with additions of differing ages and design, converted to a Care Home in 1990. It is set back from the road behind a tall brick boundary wall in an extensive wooded site. It lies within the West Lancashire Green Belt. It is proposed to construct a two storey extension to the rear and a single storey extension to an existing rear lounge with a roof terrace above.

Inappropriate development and openness

5. The Framework in paragraph 149 states that new buildings are inappropriate in the Green Belt unless they fall within a specified list of exceptions. Section c) is of relevance to this case. This allows 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. 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.
7. The Council's Supplementary Planning Document on Green Belt development (SPD) advises that when the total volume of the proposal together with any previous extensions and alterations, would result in an increase of more than 40%, it is likely to form a disproportionate addition.
8. The appellant has provided a detailed calculation to set out the volume of the existing building and extensions that have been undertaken. This demonstrates that the existing building has already been extended by around 47.5%. The proposed extensions forming part of this appeal, would increase the volume of the built development by a further 8.5% to a total of approximately 56%. This clearly exceeds that permitted in the Council's SPD. Whilst the Council questions these figures, no alternative calculation has been presented. There is therefore nothing before me to cast doubt on this evidence.
9. The Council's SPD explains that the figure of 40% is a guide only, and that there may be cases where an extension of marginally more than 40% of the original property is acceptable in terms of its impact on perceived openness. However, in this case I would not describe a proposal of around 16% above this figure, to be a marginal increase.
10. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts is their openness and permanence. In spatial terms, I acknowledge that the extensions would not project beyond the former stable block and single storey lounge extension and would be contained to the existing garden area of the property. However, they would consolidate built form on this elevation by increasing the footprint and volume of the building. This would reduce the openness of the Green Belt both spatially and visually. In view of the siting, scale and design of the proposal, the effect on the openness of the Green Belt would be limited, but nevertheless permanent.
11. Given the above, I conclude that the appeal scheme would form a disproportionate addition. It would therefore fail to meet one the exceptions

in paragraph 149 of the Framework and form inappropriate development in the Green Belt. It would also cause limited harm to openness.

Heritage matters

12. The principal Grade II listed building on the site is the former Coach House and stables. Constructed in brick in the late 18th century, the building has a 'U' shaped plan form. It has a high sandstone plinth, stone slate roof, gabled two storey wings and a weathervane. The listing description makes note of the original stalls and loose boxes, though these features were removed, and the internal plan form altered at the time the building was converted to a Care Home.
13. Little is known about Asmall House, now known as Asmall Hall. The Coach House is the oldest building on the site and its size and form indicate that it must have been associated with a substantial house. The current Hall, built in a Tudor Gothic style dates from the mid-19th century, and was altered in the 1920-30's and in the 1970's. It is constructed in white render with a single storey arched entrance porch and mullioned windows. The Coach House and hall were physically linked in the 1990's at which time an extensive two storey west wing was also constructed.
14. Given the above, as far as it relates to this appeal, I consider the special interest of the listed building to derive from its architectural features pointing to its past use as a coach house and stable block and the legibility of historic additions and extensions.
15. The proposed single storey lounge extension involves the blocking up of existing doorways in the 1990s extension and alterations to existing modern partitions. It also involves the removal of a section of wall which was originally part of the western external wall of the Coach House to create a wider opening and better use of space in the extended lounge. This loss of historic fabric causes harm by further undermining the plan form of the heritage asset.
16. Other minor alterations to the internal layout of the former Coach House are proposed to provide ensuite facilities to existing bedrooms and a larger bathroom. These alterations to modern internal partitions, have a neutral impact on the special interest of the building.
17. The removal of the pitched roof to the current lounge and the provision of a flat roof to the extended lounge enables the creation of a roof terrace. Together with the provision of a balustrade feature, this results in an incongruous addition to the heritage asset. However, on the positive side, these works better enable the first-floor western elevation of the former Coach House to be appreciated. As a consequence, I find that the proposed roof terrace would have a neutral impact.
18. The proposed two storey extension providing four further bedrooms would form an addition to the 1990's wing. As it adds to a modern extension, its impact on the special interest of the building would be neutral.
19. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost

through the alteration or destruction of those assets. I have found that the proposal would cause harm through the loss of historic fabric. However, as the former Coach House has been significantly altered internally and the historic plan form is no longer readable, I consider this harm would be at the lower end of less than substantial.

20. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The scheme would improve the facilities at the Care Home for residents and provide four additional bedrooms. Planning Practice Guidance recognises that the need to provide housing for older people is critical, as people are living longer and the proportion of elderly people in the population is increasing. I note the comment from Lancashire County Council that confirms the need in the West Lancashire area. The appeal scheme would make a contribution to meeting this need. This provides a public benefit which weighs in favour of the proposal and in this instance outweighs the low level of harm I have identified.
21. In light of the above, I conclude that the proposal would preserve the special interest of the Grade II listed building. This would satisfy the requirements of the Act, paragraph 197 of the Framework and Policy EN4 of the West Lancashire Local Plan which seeks to preserve and enhance West Lancashire's cultural and heritage assets.

Protected species

22. The Council's second reason for refusal states that insufficient information has been provided to demonstrate that there will be no harm to bats and their roosts.
23. A survey of the building was undertaken in 2019, before the original planning application was submitted. This identified the presence of a bat roost on the northern elevation of the building. Activity to the southern elevation of the building was limited to occasional foraging. A further survey was undertaken to support this appeal in February 2021. It was again found that the southern elevation was well sealed with no ingress opportunities for bats.
24. As the works proposed are confined to this southern elevation, I am satisfied that subject to an appropriate method statement for the works secured through a planning condition, that the proposal would not cause harm to protected species. In this regard, the scheme would comply with Policy EN2 of the West Lancashire Local Plan which aims to preserve and enhance the natural environment.

Other considerations

25. The appellant has explained that when taking over the Care Home in 2016, a programme of improvement works commenced to address issues raised in the Care Quality Commission (CQC) Inspection Report. These works seek to improve the quality of facilities in the Home, upgrade bedrooms by providing ensuite facilities and improve the internal layout to provide more efficient and effective care.
26. I understand that the Home has 54 bedrooms divided into two areas of general nursing care and elderly mentally infirm (EMI). There is currently an imbalance between these two areas with fewer rooms dedicated to EMI. The proposed extension would provide 4 new bedrooms to even this up and therefore make a

more efficient and effective use of highly qualified nursing staff, with one specialist nurse being able to look after up to 30 residents.

27. The improvements to the facilities at the Care Home, improving the quality of life of residents, weigh in favour of the scheme. However, based on the evidence before me, I am not persuaded that the additional four bedrooms are essential to the viability of the Home or that they are needed to address a specific issue in the CQC report.
28. I have already noted above, the critical need for specialist accommodation of the elderly, and I acknowledge the countywide need identified in Lancashire County Council's Market position statement for Adult Social Care. I give significant weight to this factor in my decision.

Green Belt balance

29. I have found that the proposal would form inappropriate development in the Green Belt which is, by definition, harmful, and should not be approved except in very special circumstances. In line with paragraph 148 of the Framework, significant weight should be given to this harm. The proposal would also cause limited harm to the openness of the Green Belt.
30. The Framework states 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.
31. In this case, the lack of harm to protected species and my conclusion that the proposal preserves the special interest of the listed building, form neutral factors, neither weighing for or against the scheme. I give considerable weight to the scheme's contribution to the need for elderly care provision. However, I do not consider that this clearly outweighs the harm to the Green Belt by reason of inappropriateness and loss of openness. Consequently, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

32. For the reasons set out above, and having had regard to all other matters raised, the appeal is dismissed.

Helen Hockenhull

INSPECTOR