
Appeal Decision

Site Visit made on 23 November 2021

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2021

Appeal Ref: APP/P2365/D/21/3271110

The Hayloft, Ring O Bells Lane, Lathom L40 5TE

- 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 Gerrard against the decision of West Lancashire Borough Council.
 - The application Ref 2020/1228/FUL, dated 7 December 2020, was refused by notice dated 8 February 2021.
 - The development is proposed single storey extension to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is located within the West Lancashire Green Belt. Accordingly, the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies; and if so the effect on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property, with particular regard to its design and size;
 - The effect of the proposal on the living conditions of nearby occupiers, with particular regard to privacy, and
 - Whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations, and if so, whether this would amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether Inappropriate Development/Openness

3. The Framework regards the construction of new buildings as inappropriate in the Green Belt. One of several exceptions to this is 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. In that Policy GN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document (WLLP) sets out that development proposals within the Green Belt will be assessed against national policy, amongst other matters, it is consistent with the Framework in this respect.

4. The Framework does not provide a definition of what is considered to be a disproportionate addition, but the Council's Supplementary Planning Document Development in the Green Belt (SPD) at POLICY GB4 establishes amongst other matters, that extensions to buildings should not result in an increase of more than 40% above the volume of the original building.
5. The existing property is modestly sized with living, kitchen and dining accommodation on the ground floor and a bedroom and bathroom on the first floor. Reference is made to it being 246 cubic metres. The proposal seeks a single storey extension to provide a new entrance hall, living space, dining area and conservatory to the side and rear, which would be 243 cubic metres. The existing living space would be used as a bedroom.
6. There is no dispute that the proposed extension would exceed the volume tolerances set out within the SPD. The supporting text to SPD POLICY GB4 however establishes that the figure of 40% is provided as a guide only and that some extensions marginally exceeding this figure may be acceptable in the Green Belt, depending on their form and projection and resultant effect on openness.
7. In this case, the proposed increase in volume would substantially exceed the 40% volume tolerance. Moreover, the new floor area that would be created would be similar to the existing footprint of the property. Accordingly, I find that the extension's size would be disproportionate to that of the original building. The extension's projection to the side and rear of the property would substantially alter the linear form of the building and would result in the original building being engulfed by extensions.
8. As a result of the size of the extension and by introducing built form where there is none at present the proposal would have an impact on the openness of the Green Belt both visually and spatially. Openness of the Green Belt would be reduced by the proposal. Whilst such impact would be limited and localised, given the location of the property in a cluster of dwellings and set back from the highway, harm to the Green Belt and one of its essential characteristics would result.
9. Given the above, I conclude that the proposal would result in a disproportionate addition over and above the size of the original building and would therefore comprise inappropriate development in the Green Belt as described in paragraph 149 c) of the Framework and WLLP Policy GN1. The proposal would also result in a reduction in openness, in conflict with the Green Belt aims of the Framework, WLLP Policy GN1 and the guidance on extensions in the Green Belt within SPD POLICY GB4.

Character and Appearance

10. The dwelling on the site was the result of a conversion and extension of a former agricultural building. It is of a simple, narrow, linear form with a catslide roof leading from the 2 storey brick part of the building over the timber clad single storey part of it.
11. Although the taller part of the new extension would be lower in height than the 2-storey part of the building, with a narrower form, and constructed of materials to reflect the host property, it would appear as a bulky, incongruous addition which would not respect the design of the host property, particularly

when viewed from the east and west. Moreover, the large expanse of flat roof proposed, and glazing on the west elevation would result in an overly modern addition to this historic building which would harmfully detract from its character and appearance.

12. I note that there was a brick building upon the site in the past, but this has since been removed. Furthermore, the scale, form and design of this building appeared on the evidence before me to be markedly different to the appeal proposal, and thus its previous existence does not provide justification for the appeal scheme.
13. I acknowledge that the property is of a modest size and the needs of the appellant to provide an additional bedroom, however there is a high probability that this accommodation could be provided in a less harmful way. I have been provided with no evidence to indicate that this could not be achieved.
14. Given my findings I conclude that the proposal would be harmful to the character and appearance of the host property, in conflict with WLLP Policy GN3, which requires, amongst other matters that proposals for development should be of a high quality design, complement or enhance any attractive attributes and/or local distinctiveness through sensitive design and that extensions should relate to the existing building in terms of design and materials.

Living Conditions

15. To the south of the appeal site is a detached dwelling which has a large patio area to the rear. At my visit there was no boundary treatment between the host property's rear garden and its neighbours.
16. The new extension would have a window in the side elevation serving the dining room and people standing at the window would have clear and close up views across the patio of the neighbouring property. This would result in a loss of privacy to users of the neighbouring property's patio and their subsequent enjoyment of it.
17. The appellant has indicated a willingness to remove this window or put obscure glazing within it and these matters could be controlled by planning condition. Accordingly, and subject to the window's removal or controlling the type of glazing used, there would be no harm caused by the proposal to nearby occupiers' living conditions, in accordance with the privacy and amenity aims of WLLP Policy GN3.

Other Considerations

18. The Framework makes it clear 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.
19. I acknowledge the personal circumstances of the appellant in wanting to increase the amount of accommodation on the site and particularly through providing an additional bedroom and the desire to be close to family members. However, it is likely that the proposal is not the only option available to satisfy these needs. Accordingly, limited weight is given to these matters.

20. I note that in the past there was a brick storage building upon the appeal site. This was demolished prior to planning permission being granted for the conversion and extension of the host property. I am therefore unable to take this into consideration in my assessment of the proposal's impact on the Green Belt. This is a neutral factor in this case.
21. I acknowledge that the property may have permitted development rights that could be exercised. However, I have not been provided with details of how such a scheme would present itself so am unable to make a comparison against the appeal proposal or to assess whether or not the implementation of such development would be likely to take place. This therefore limits the weight that I can attach to this matter.
22. I note the assertion that the size of the host property falls below the space standards set out within the Nationally Described Space Standards for a 1 bedroom, 2-person dwelling. The Planning Practice Guidance makes it clear that these standards should only be applied where a local planning authority has referred to them in a Local Plan, and no evidence has been provided to direct me to relevant policies in this regard. Moreover, in order to comply with these standards, the new extension would be substantially smaller than that proposed. This matter carries little weight in favour of the proposal.
23. An absence of objection to the proposal from neighbours or others is a neutral factor that does not weigh in favour of the proposal. As is the absence of harm to the living conditions of nearby occupiers.

Green Belt Conclusion

24. The appeal proposal would be inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. It would also be harmful to the openness of the Green Belt, in that openness would be reduced. These are matters, which according to the Framework, I attach substantial weight. The proposal would also be harmful to the character and appearance of the host property, in conflict with the development plan.
25. Balanced against this are the other considerations advanced by the appellant, and the absence of harm to the living conditions of nearby occupiers, which even when taken together, do not clearly outweigh the harm to the Green Belt and any other harm. Accordingly, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. Consequently, the proposal conflicts with WLLP Policy GN1, and SPD POLICY GB4.

Conclusion

26. The proposal would not accord with the development plan and there are no material considerations to outweigh that finding. Therefore, for the reasons given, the appeal is dismissed.

RC Kirby

INSPECTOR