



Appeal Decision

Site Visit made on 16 November 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 16th December 2021

Appeal Ref: APP/P2365/W/21/3277329

1 Tunley Lane, Wroughtington, Wigan, Lancashire WN6 9RG

- 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 Mat McConville against the decision of West Lancashire Borough Council.
 - The application Ref 2020/1098/FUL, dated 15 November 2020, was refused by notice dated 28 May 2021.
 - The development proposed is described as retention and renovation of the original two storey stone built property, comprising of new roof tiles, repointing, new windows along with a new door and open pitched porch. Demolition of low quality single extensions and outbuilding. Construction of a new two storey side extension and two storey rear extension with dormer window over a single storey rear ground floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A bat survey report has been submitted with the appeal. The Council has been provided with the opportunity to comment on it through the appeal process, although it has declined to do. I have had regard to it in the appeal.

Main Issues

3. The main issues are:
 - i) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt;
 - iii) The effect of the proposal on character and appearance of the host property and the area;
 - iv) The adequacy of the parking provision; and
 - v) 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 the very special circumstances necessary to justify it.

Reasons

Whether or not inappropriate development in the Green Belt

4. No 1 was originally a modest early nineteenth century 2 storey dwelling in red sandstone with a stone roof. It has several later single storey extensions and there is a small stone outbuilding to the rear. It is in the Green Belt.
5. Policy GN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document Adopted October 2013 (the LP) sets out that development proposals in the Green Belt will be assessed against national policy and relevant Local Plan policies. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to exceptions, including Paragraph 149 c) 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 GB4 of the West Lancashire Borough Council Supplementary Planning Document Development in the Green Belt Adopted October 2015 (the GBSPD) sets out that extensions to buildings in the Green Belt should not result in an increase of more than 40% of the volume of the original building. The Framework defines the original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The GBSPD requires clear evidence of what constitutes the original property and full details of volume calculations of the original property, original domestic outbuildings, subsequent extensions and outbuildings, and the proposal.
7. The Design and Access Statement includes sketches of the existing and proposed buildings and it calculates the existing and proposed volumes. It indicates that the proposal would be below a 40% increase in the volume of the existing building including the former garage that has been demolished. However, the plans are not clearly annotated with the dimensions and there appear to be discrepancies in the calculations including the depth of the proposed side extension, and the depth of the proposed main roof compared to the building. Moreover, planning permission (ref 1976/0989) was granted in 1976 for the erection of detached garage on land at rear of detached dwelling. The garage has been demolished and no historic plans or photographs have been provided to illustrate its design or its dimensions. There is little clear evidence that the former garage was part of the original building or that the calculations accurately establish the proposed volume increase.
8. Furthermore, while the GBSPD refers to volume, the Framework refers only to the size of the original building. In this regard, the side extension would significantly increase the length of the frontage and the roof of the building. The 2 storey rear extension would protrude more than 6.5m beyond the existing 2 storey rear elevation and its eaves and ridge would be nearly the same height as its host, which would be increased over and above the existing dwelling. On this basis, and irrespective of the precise volume of the proposal, it would be a disproportionate increase in the size of the building.
9. Therefore, I find the proposal would be disproportionate additions over and above the size of the original building. For this reason, it would be

inappropriate development in the Green Belt. It would conflict with LP Policy GN1 and the policies in the Framework that protect the Green Belt.

Openness of the Green Belt

10. Paragraph 133 of the Framework advises that openness and permanence are the essential characteristics of the Green Belt. Openness is the absence of development and it has both spatial and visual aspects.
11. The existing spatial footprint of development comprises the dwelling, its extensions and associated hardstanding. The plans appear to suggest only a small increase in the spatial footprint of development at this site.
12. No 1 is prominently sited next to the road and at the end of a row of dwellings in the countryside. It is widely separated from development on Mossy Lea Road by open fields with hedgerows and scattered trees. There is a low single storey dwelling on the opposite side of Tunley Lane at this point, but it is set back from the road and widely separated from other properties by open fields.
13. The existing extensions are low features, mostly unobtrusively sited to the rear of the 2 storey dwelling and clearly subservient to it. The former garage has been demolished and, except for the small stone outbuilding, the garden is open and it is free of permanent buildings and structures. No 1 is a modest property with a high degree of openness to 3 sides.
14. There would be a significant visual impact due to the substantial increase in the bulk of built development. In contrast to the existing unassuming dwelling, the proposal would be markedly large with a strikingly different visual presence. Viewed from the front or on the approach along the road, the increased bulk to the side and to the rear would be readily apparent.
15. The proposal would be seen in the context of the neighbouring dwelling when viewed from the direction of Mossy Lea Road. Even so, the extensively glazed large rear extensions and roof terrace would be conspicuous in this context. Moreover, when viewed from other angles, including the approach towards Mossy Lea Road and from the front, the proposal would interrupt and obscure views across and through the site to open countryside beyond.
16. Consequently, there would be a small but harmful loss of openness of the Green Belt in this location. The Framework is clear that substantial weight should be given to any harm to the Green Belt.

Character and appearance

17. Properties on Tunley Lane are varied in terms of their sizes, styles, ages and plot sizes. No 1 is a traditional dwelling with a simple stone slate roof, chimneys at both gable ends and small window openings in its front elevation. The single storey extensions are not coherent but they are subservient. No 1 is acknowledged to be a charming, modest and historic property.
18. The ridge and the eaves of the proposed side elevation would be marginally lower than its host and it would be set back less than 0.5m. Considered in isolation, the side extension might be subordinate to its host. However, in combination with the large rear extensions, the cumulative effect would not be subservient to the original 2 storey part of the dwelling.

19. The existing 2 storey walls would be increased in height and the stone slate roof would be replaced with concrete tiles. The extensions would be finished in brick such that they would harmonise with one another but they would not match the original sandstone. The proposed standing seam zinc and red cedar cladding would not be traditional materials in keeping with No 1. The large and extensively glazed rear extensions and the first floor roof terrace would be conspicuous. Considered as a whole, the proposal would not be sympathetic to its host and it would overwhelm it.
20. Irrespective that the proposal might be similar in scale to other large detached dwellings in the area, it would not respect or relate well to the appeal property. The combined effect would be an overtly modern building that would be out of keeping with its host. It would have an urbanising effect that would erode the traditional character and appearance of the appeal property and the area. It would not contribute to local distinctiveness or sense of place.
21. Therefore, I conclude that the proposal would harm the character and appearance of the appeal property and the area. It would conflict with LP Policy GN3 which requires, among other things, that development has regard to historic character and local distinctiveness and that it should relate well to the existing building. It would conflict with the design aims of the Framework.

Parking provision

22. The planning application form states that the proposal would not affect the existing car parking arrangements. In this regard, there is a certificate of lawfulness (ref 2019/1277/LDP) for proposed new gravel driveway and turning area including removal of 4.5m of frontage hedge. The hedgerow has been removed and the area was in use for vehicle parking at the time of my visit. However, the certificate of lawfulness relates to parking provision for the existing property and the illustrated 2 parking spaces are below the Council's parking standards, which require 3 parking spaces for 4 bed dwellings.
23. The appeal site is within walking distances of some services and bus routes that operate along Mossy Lea Road. Nevertheless, it is relatively rural and it is not a highly accessible location in relation to services and facilities. The local circumstances, including the accessibility of the location, do not justify a deviation from the parking standards.
24. I note the suggestion that the likely overspill on-street parking would not harm the safe operation of the highway. The road is straight at this point, although somewhat narrow. There is little before me in relation to its usage, although it is used by large vehicles including farm machinery. At the time of my visit, there were vehicles parked on the road and the footway to the front of nearby dwellings. If overspill parking resulted in the obstruction of the footway, then the proposal would not minimise the scope for conflict between pedestrians, cyclists and vehicles. However, the side garden, which is currently used for parking, is reasonably large and there is little evidence that it could not accommodate 3 parking spaces. For this reason, I consider this matter could be addressed by the imposition of a planning condition.
25. Therefore, subject to a planning condition, I conclude the proposal would not fail to provide adequate parking in accordance with the Council's parking standards. Consequently, it would not conflict with the aims of LP Policy IF2.

Other Considerations

26. While the neighbouring dwelling is large, the evidence indicates that it was considered in a different policy context and it was found to be acceptable. There is little evidence that dwellings or extensions elsewhere are directly comparable to the appeal proposal and they do not provide a justification for it. This carries neutral weight.
27. No 1 has relatively low ceilings, a narrow staircase, no internal circulation, and the bathroom and kitchen are in the extensions. The proposal would provide enhanced internal living accommodation, including 4 double bedrooms. This would be primarily a private benefit to the appellant, and it carries limited weight in favour of the proposal.
28. The planning application was not refused on grounds relating to protected species. However, the bat survey report with the appeal confirms the presence of a bat roost in the roof. The proposal would result in a breach of legislation in the absence of mitigation. In this regard, the mitigation measures contained in the bat survey report may be adequate to inform a European Protected Species Mitigation Licence. However, as I am dismissing the appeal for other reasons, this is not a matter that I need to consider further.

Green Belt Balance

29. I have concluded that the proposal would be inappropriate development in the Green Belt. It would result in a small loss of openness of the Green Belt. These are harms that attract substantial weight. The harm to character and appearance weighs against the proposal to a moderate degree. Parking provision could be addressed by a planning condition and this is a neutral factor in the balance.
30. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

31. For the reasons set out above, and having regard to all matters raised, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR