



Appeal Decision

Site visit made on 7 December 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 21st March 2022

Appeal Ref: APP/P2365/D/21/3278186

4 Tunley Lane, Wroughtington, Wigan, WN6 9RH

- 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 David Reddington against the decision of West Lancashire Borough Council.
 - The application Ref 2021/0282/FUL, dated 4 March 2021, was refused by notice dated 23 June 2021.
 - The development proposed is remodelling of existing house, including new windows, doors, flat roof and front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt and the character and appearance of the appeal property; and
 - iii) 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

Whether or not inappropriate development in the Green Belt

3. No 4 is a detached single storey dwelling with a hipped roof incorporating a rear dormer and it has an integral flat roof garage to the side. It is set back from the road in a large plot with boundaries formed from hedges and fences. It is well separated from neighbouring properties to either side. Tunley Lane is surrounded by open countryside and the appeal site is in the Green Belt.
4. 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 relevant national and local policies.

5. 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 GB SPD) 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; they should be in keeping with the original form and appearance of the building and not materially harm the openness of the Green Belt through excessive scale or bulk; and they should be in keeping with the character of the area and appropriate design and materials. However, as Framework paragraph 149 c) does not explicitly require an assessment of impacts on openness, it and visual amenity are not directly relevant to the assessment of inappropriateness.
7. The parties agree that the proposal would not exceed a 40% increase in the volume of the original building. However, while the GB SPD considers extensions that exceed 40% of the volume will be materially larger and therefore disproportionate, the 40% figure is a guide and it is not determinative by itself of inappropriateness. In this regard, the Framework does not define disproportionate and Paragraph 149 c) refers to the size of the building, which relates not only to its volume but also to other measures of size such as dimensions and bulk.
8. In this case, there would be a significant increase in the height, length and depth of 2 storey walls. The plans illustrate that the roof terrace, although not part of the internal volume of the proposal, would be partially enclosed contributing to the dimensions at first floor level. The proposal would occupy the same footprint as the appeal property, but the upward extension would be a substantial increase in the dimensions of built development and in the scale and bulk of the dwelling at first floor level.
9. Therefore, the proposal would result in disproportionate additions over and above the size of the original building. For this reason, it would be inappropriate development in the Green Belt.
10. Schemes have been allowed elsewhere that met the volume increase policy requirement. The Hilddale scheme (ref APP/2365/W/15/3137095) replacement dwelling was not materially larger than the dwelling it replaced nor was it excessive in bulk and scale. At Tunley Lane (ref APP/P2365/D/3154301) and Dalton (ref APP/2365/W/18/3215522), the Inspectors considered scale and bulk before concluding that the schemes were not inappropriate development. Those schemes do not establish that volume increase alone is determinative of inappropriateness without an assessment of other measures of size.

Openness of the Green Belt, character and appearance

11. 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.

12. There would be no apparent increase in the spatial extent of development and no spatial loss of openness. However, irrespective that the dwelling would be set back from the road, there would be a visibly significant increase in the bulk of built development. The proposal would be conspicuous from locations in the area, including approaching along Tunley Lane and from more distant locations across open countryside. The visual impact would be exacerbated by the contemporary design, extent of glazing, and the large roof terrace with its associated activity. The significant visual impact would result in a small loss of openness of the Green Belt.
13. The proposal would incorporate the ground floor walls. However, its design, including its flat roof, fenestration and its architectural details, would not be in keeping with the original simple form and appearance of the building. The overtly modern flat roof building with its roof terrace would be markedly dissimilar and it would not relate well to the existing unobtrusive hipped roof dwelling. The cumulative effect of the extensive alterations, including to the ground floor, would result in the appearance of a new dwelling rather than a sympathetic extension to the modest and unassuming appeal property.
14. My attention has been drawn to nearby extensions and alterations, including dormer roof extensions, allowed on appeal (ref APP/P2365/D/3154301). The Inspector considered the utilitarian dwelling could accommodate the alterations and the scheme was not out of place or excessive in scale, taking into account the mixed character and varied size of dwellings in the area and also that dormer extensions are already a characteristic feature of the area. In contrast, the appeal proposal would be comprehensive extensions and alterations that would not relate well to the appeal property in its surrounding context. The nearby scheme is not directly comparable to the proposal and it does not provide a justification for it.
15. Therefore, the proposal would harm the appearance and character of the dwelling and there would be a small loss of openness of the Green Belt. It would conflict with the relevant aims of LP Policy GN3 and GB SPD Policy GB4.

Other Considerations

16. Residential development has been allowed elsewhere in the area, including extensions, limited infilling in villages and replacement buildings. On the basis of the evidence before me, none of the schemes is directly comparable to the appeal proposal including in terms of the development, the surrounding area or the relevant policy context. They do not weigh in favour of the proposal.
17. The Framework promotes the creation of high quality, beautiful and sustainable buildings. However, while the Council is not opposed to modern design, there is little to suggest that the proposal would be outstanding or innovative design which promotes high levels of sustainability or helps raise the standard of design in the area. Irrespective that the appeal property may be of little architectural merit, the design of the proposal does not weigh in its favour.
18. The appeal property has been unoccupied for over a year and internal works have been carried out including removal of fixtures and fittings. However, there is little evidence that the dwelling was previously in a significantly poor state of repair or otherwise uninhabitable. The current condition of the dwelling does not weigh in favour of the scheme.

Green Belt balance

19. 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. In accordance with the Framework, these matters attract substantial weight. The harm to the character and appearance of the property weighs moderately against the proposal.
20. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness and other harm. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

21. For the reasons set out above, the appeal should be dismissed.

Sarah Manchester

INSPECTOR