



Appeal Decision

Site visit made on 5 April 2022

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2022

Appeal Ref: APP/P2365/D/22/3292674
2A Vicarage Lane, Westhead, L40 6HQ

- 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 Ian Tomlinson against the decision of West Lancashire Borough Council.
 - The application Ref 2021/1095/FUL, dated 14 September 2021, was refused by notice dated 26 November 2021.
 - The development proposed is construction of car port.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('the Framework') and development plan policy;
 - (b) The effect of the proposal on the openness of the Green Belt;
 - (c) The effect of the proposal on the character and appearance of both the host property and the surrounding area; and
 - (d) 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 the development.

Reasons

Inappropriate development in Green Belt

3. Paragraph 149 of the Framework states that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. One such exception 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'.
4. Annex 2 of the Framework defines the 'original building' as it existed on 1 July 1948 or, if constructed after that date, as it was built originally. In this case, previous extensions to the original building have already increased its volume

by around 45%, and the current proposal would further increase this to around 48%.

5. The Council's Development in the Green Belt Supplementary Planning Document (SPD) states that extensions to buildings in the Green Belt should not increase the volume of the original building by more than 40%. The SPD sets out that this figure is intended as a guide only, and that some larger extensions may be acceptable where they have only a limited effect on the perceived openness of the Green Belt. However, the appeal proposal would be an elongated and prominent addition that would overhang a relatively large area at the front of the property. It would project above the boundary fence with No 2 and would therefore be clearly visible in views along Vicarage Lane from both the north and northwest. Given its shape, and the size of the area it would enclose, the perceived effect on openness would be far greater than is implied by its built volume alone.
6. The appeal property is located within a group of dwellings bounded by Vicarage Lane, Ruff Lane, and Wellfield Lane. However, it faces onto open countryside to the north and the proposal would extend out significantly in that direction. Whilst the host property has already been extended by more than the 40% guideline, the circumstances in this case do not justify the introduction of this further addition. In my view, the proposal would result in a cumulative increase that would be disproportionate for the purposes of paragraph 149 c) of the Framework.
7. For the above reasons, I conclude that the proposal would be inappropriate development in the Green Belt, which Paragraph 147 of the Framework states is harmful by definition and should not be approved except in very special circumstances. The proposal would also be contrary to Policy GN1 of the West Lancashire Local Plan (2013) and guidance contained in the Development in the Green Belt SPD (2015).

Openness

8. The proposal would introduce a new built element at the front of the property that would extend over land that is currently open. This would be prominent in views along Vicarage Lane from the north and northwest. The proposal would therefore fail to preserve the openness of the Green Belt. In this regard, the Framework advises that openness is an essential characteristic of Green Belts.

Character and appearance

9. The proposed car port would extend out significantly from the front elevation of the host property and would overhang a significant part of the parking area. It would be characterised by a large bulky roof that would be clearly visible in views along the street. This would be a visually awkward addition that would dominate the frontage of the property. In my view, it would have a discordant appearance.
10. My attention has been drawn to a number of existing garages and car ports in the surrounding area that are positioned in advance of the front elevation of the host property. These examples include the adjacent properties on either side of No 2A. However, the garage to Silverdale is heavily screened in views from the road, and the garage to No 2 Vicarage Lane projects out far less than is proposed here. Moreover, neither of these garages is similar in design to the

current proposal. The other highlighted examples are also dissimilar in appearance and are located significantly further away. Accordingly, these existing structures do not lend significant support to the appeal proposal.

11. For the above reasons, I conclude that the proposal would significantly harm the character and appearance of both the host property and the surrounding area. It would therefore be contrary to Policy GN3 of the West Lancashire Local Plan (2013) and guidance contained in the Design Guide SPD (2008). This policy and guidance seek to ensure, amongst other things, that new development is of high quality design that is appropriate in terms of its siting and scale.

Other considerations

12. The proposal would provide shelter to the appellant's vehicles and would also generate some economic benefits during the construction phase. However, these are modest benefits that are common to most developments of this type and size.
13. A gazebo is sometimes stationed at the front of the property in order to provide shelter for one of the appellant's vehicles. However, from the image provided, this is a lightweight structure that is clearly temporary in nature.

Conclusion

14. The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. It would also significantly harm the character and appearance of both the host property and the surrounding area. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, I conclude that the other considerations do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would therefore be contrary to Policies GN1 and GN3 of the West Lancashire Local Plan (2013), the Development in the Green Belt SPD (2015), the Design Guide SPD (2008), and guidance contained in the Framework relating to Green Belts.
15. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR