



Appeal Decision

Site visit made on 25 January 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/P2365/D/22/3304939

Woodbank, Higher Lane, Dalton, Wigan WN8 7RP

- 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 Miss Georgina Bentley against the decision of West Lancashire Borough Council.
 - The application Ref 2022/0242/FUL, dated 3 March 2022, was refused by notice dated 19 May 2022.
 - The development proposed is an extension to side and rear over three storeys.
-

Decision

1. The appeal is allowed and planning permission is granted for the re-modelling of the dwelling to provide extension to the side and rear at Woodbank, Higher Lane, Dalton, Wigan WN8 7RP in accordance with the terms of the application, Ref 2022/0242/FUL, dated 3 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Overall Site Plan APPEAL DG-02A, Proposed Ground Floor Plan APPEAL DG-11B, Proposed First Floor Plan APPEAL DG-12B and Proposed Elevations APPEAL DG-14A APP.

Preliminary Matter

2. The description of development in the banner heading above is taken from the planning application form and is also reflected in the Council's decision notice. However, the proposal, as shown on the submitted plans and reflected in the appeal form, is for a two storey side and rear extension. I have determined this appeal accordingly and adopted the more accurate description from the appeal form in the formal decision above, albeit with superfluous detail omitted.

Main Issues

3. The main issues in this case are a) whether the proposal would be inappropriate development in the Green Belt, and b) the effect of the proposal on the character and appearance of the area.

Reasons

Whether inappropriate development

4. The appeal building is a two storey semi-detached dwelling occupying a raised position above the highway. It has an existing single storey element to the rear

- and a side bay window projection. The evidence suggests that both are considered part of the original dwellinghouse.
5. Policy GN1 of the West Lancashire Local Plan 2012-2027 (October 2013) (the LP) states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.
 6. Paragraph 147 of the National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
 7. The Framework states that new buildings should be regarded as inappropriate development in the Green Belt, subject to a number of exceptions. 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, is one of these exceptions at paragraph 149 c).
 8. Neither Policy GN1 of the LP nor the Framework define what is meant by a disproportionate addition, however the Council's Supplementary Planning Document, Development in the Green Belt (March 2015) (the SPD) provides guidance. Both main parties agree that the total volume of the proposed development would not result in an increase of more than 40% above the volume of the original building and I have no reason to disagree.
 9. I note that the figure of 40% is a guide only and that other factors may be taken into consideration. The proposal would have a limited projection to the side and rear and its overall height would be considerably less than that of the host dwelling.
 10. Therefore, taking account of its footprint, scale and bulk, the proposal would not be a disproportionate addition to the original dwelling. It would not therefore be inappropriate development within the Green Belt and thus would comply with Policy GN1 of the LP, along with the guidance in the Framework and the SPD.
 11. Given that the development does not amount to inappropriate development in the Green Belt, there is no need for me to go on to consider its effect on the openness of the Green Belt or assess other considerations and whether very special circumstances exist in order to justify the development.

Character and appearance

12. As noted, the proposed extension would have a limited side and rear projection. It would also be set well back from the front elevation of the dwelling. The roof form would be hipped, however the front plane would follow that of the host dwelling and, given the set back positioning of the extension and considerably reduced ridge height, this design would not appear visually awkward, even if readily apparent in the street scene due to the dwelling's raised position and the scale of the adjacent bungalow.
13. Accordingly, the proposal would not be an incongruous addition and thus would not result in harm to the character and appearance of the area. It would therefore comply with Policy GN3 of the LP which aims for extensions which relate to the existing building in terms of design and materials. It would also accord with Policy DP5 of the Supplementary Planning Document, Design Guide (January 2008) which seeks to ensure that developments respond to the

characteristics of the site and do not disrupt the visual amenities of the streetscene.

Conditions

14. The Council has not provided a list of suggested conditions in the event that the appeal were to be allowed. In the interests of certainty, conditions specifying the time limit and the approved plans are necessary. A condition requiring the proposal to be finished in specific materials is not necessary as they are specified on the approved plans.

Conclusion

15. The proposal accords with the development plan as a whole, thus the appeal is allowed.

H Ellison
INSPECTOR