



Appeal Decision

Site visit made on 6 March 2024

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th March 2024

Appeal Ref: APP/M2325/D/23/3326697

Camelot, Division Lane, Lytham St Annes FY4 5EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Cahill against the decision of Fylde Borough Council.
 - The application Ref is 23/0355.
 - The development proposed is Pitch roof to replace flat roof, solar panels to the rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. This has not raised any new matters which are determinative to the outcome of this appeal.

Main Issues

3. The main issues are:
 - 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;
 - The effect of the proposal on the openness of the Green Belt, and;
 - If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

4. The appeal site comprises a detached, dormer bungalow with parking area to the front and a large garden to the rear. Division Lane consists of low-density housing interspersed with open areas of land, with fields to the south and further east. The site lies within the designated Green Belt.
5. Policy GD2 of the Fylde Local Plan¹ (LP), states that within the Green Belt, national policy will be applied. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land

¹ Fylde Local Plan to 2032 (incorporating Partial Review), Adopted December 2021

permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

6. Paragraph 154 of the Framework establishes that the construction of new buildings should be regarded as inappropriate, except in specific circumstances. These exceptions include (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. Neither the Framework, nor the Council's policies provide a definition of 'disproportionate additions' and so this is a matter of planning judgement in each case.
7. The Council indicates that the proposed extensions to the roof, as well as previous extensions and additions to this dwelling, would equate to a 140% increase in volume, over and above the size of the original dwelling. This figure is not disputed by the appellant. The planning history provided, suggests that the dwelling has already been extended by way of additions to the roof, including front and rear dormers, and ground floor extensions that wrap around the side and rear. Cumulatively with the proposed development, these increases would amount to substantial additions to the property, which would be disproportionate over and above the size of the original building. I have reached this conclusion without having considered the open sided structure to the rear of the dwelling, which the plans indicate to be detached.
8. For these reasons, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with LP Policy GD2 and the Framework.

Openness

9. The appeal scheme is clearly visible from the public highway, where the openness of the Green Belt can be appreciated around the dwelling and its neighbours, and in the wider area. The proposed increase in roof height over this part of the dwelling would add to the volume and massing of the building, impacting both spatially and visually on the openness of the Green Belt, albeit this harm would be modest, given the scale of the proposal.

Other Considerations

10. The proposed development would allow the replacement of a flat roof which leaks. However, there is no substantive evidence before me to confirm that the appeal scheme is the only way to resolve this issue and I note that even with the appeal proposal, the dwelling would retain a section of flat roof.
11. There are no dwellings to the front or rear of the property and so there are no occupiers whose living conditions would be impacted by the proposal. This is a neutral matter that does not carry weight for or against the appeal scheme.
12. The proposal would include the introduction of solar panels. The use of renewable energy would be a benefit of the appeal scheme, albeit a modest one, given the scale of the development.

Green Belt Balance and Conclusion

13. The appeal scheme is inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. I give this harm substantial weight as required by paragraph 153 of the Framework.
14. I have considered the matters put before me in favour of the scheme. However, I conclude that these other considerations taken together do not clearly outweigh the substantial weight I have afforded to the Green Belt harm. Consequently, the very special circumstances necessary to justify the development do not exist.
15. The proposal conflicts with the development plan when taken as a whole and there are no other material considerations worthy of sufficient weight, to indicate that the decision should be made other than in accordance with it. The appeal is therefore dismissed.

S Brook

INSPECTOR