



Appeal Decision

Site visit made on 28 August 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2024

Appeal Ref: APP/M0655/D/24/3337507

40 Claydon Gardens, Rixton-with-Glazebrook, Warrington WA3 6FA

- 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 Elizabeth Hunter against the decision of Warrington Borough Council.
 - The application Ref is 2023/00907/FULH.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt; and c) if it would be 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 for the Recommendation

Inappropriate Development

4. The National Planning Policy Framework 2023 (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances as listed in paragraphs 154 and 155. Policy GB1 of the Warrington Local Plan Core Strategy 2014 is consistent with the Framework as it includes a general presumption against inappropriate development. Paragraph 154 c) of the Framework allows for 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.
5. Neither the Framework nor GB1 define 'disproportionate'. However, the Warrington House Extensions Supplementary Planning Document 2021 sets out

that any extensions and additions that result in an increase in size of over 33% of the original building could be disproportionate.

6. The appeal property is a two-storey detached dwelling which has been previously extended. When taken together, the Council states that the previous and proposed extensions would increase the floorspace of the original property by just over 47% and the volume by just under 46%. Although the appellant's volume calculations differ from the Council's, they accept that the increase in volume would be greater than 33%.
7. Size can be more than a function of floorspace and volume. In this case, the scale, bulk and mass of the building has already been considerably increased through the previous addition. The appeal scheme would increase the massing and scale of the dwelling by a further not insignificant amount. Consequently, and taking all of the above into account, the combination of the previous and proposed extensions would amount to disproportionate additions over and above the size of the original building. The proposal would therefore be inappropriate development which is, by definition, harmful to the Green Belt. This would result in conflict with both the Framework and, by association, GB1, the aims of which I have set out above.

Openness

8. Openness is an essential characteristic of the Green Belt. Planning Practice Guidance explains that openness can have spatial and visual aspects. The land take and mass of the proposed extension, despite its contextually modest size, would take up otherwise undeveloped space in the Green Belt. As such, there would be an unavoidable reducing effect on the spatial aspect of its openness. There would be a more limited effect on the visual aspect given the built-up nature of the immediate area. Overall, and taking into account one of the fundamental aims of Green Belt policy being to keep land permanently open, the appeal scheme would reduce the openness of the Green Belt. This would also conflict with the Framework. This harm would be in addition to that caused by the proposed development's inappropriateness.

Other Considerations

9. No substantive details of any planning permissions for the nearby extensions have been provided, including whether any of the properties had been previously extended or whether the increase in size exceeds 33%. I am therefore unable to compare the reasons for the granting of planning permission in these cases and my findings here. Essentially, I cannot be certain that the circumstances of the nearby extensions are directly comparable to the appeal scheme. I therefore afford this matter limited weight.
10. The appellant states that a similar sized extension that has a small gap to the existing side elevation would fall within the criteria of permitted development. However, no drawings of any such extension have been provided and there is no indication that a Certificate of Lawful Development has been applied for or granted. Furthermore, the planning history of the site as shown in the Officer's Report shows that the planning permission for the housing estate included a condition that restricts permitted development rights. Which casts doubt on whether such an extension could be built. Consequently, I attach limited weight to this perceived fallback position.

Conclusion and Recommendation

11. The proposed extension would cause harm to the Green Belt by way of inappropriateness and through reducing openness, to which substantial weight should be afforded. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Those I have identified would not attract sufficient weight to clearly outweigh the totality of the harm. Consequently, the very special circumstances necessary to justify the proposed development do not exist.
12. There are no material considerations, including the approach of the Framework, which indicate that a decision should be made other than in accordance with the development plan. I therefore recommend the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR