



Appeal Decision

Site visit made on 13 February 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2025

Appeal Ref: APP/M0655/D/24/3351298

The Gables Half Acre Lane, Grappenhall and Thelwall, Warrington WA4 3JG.

- 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 Dr Jonnagedala against the decision of Warrington Borough Council.
 - The application Ref is 2024/00520/FULH.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In December 2024, the Government published its revised National Planning Policy Framework (the Framework). In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.

Main Issues

3. The main issues in the appeal are:
 - (i) 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;
 - (ii) the effect of the proposal on the openness of the Green Belt; and
 - (iii) whether any harm by reason of inappropriateness, and any other harm, would be outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal property, The Gables, lies within the Green Belt. The Framework states that the construction of new buildings is inappropriate development within the Green Belt unless the development falls within specified exceptions. These include the extension or alteration of a building provided it does not result in

- disproportionate additions over and above the size of the original building, or the building as existed in 1948.
5. The Framework itself does not detail what a disproportionate addition means, nor does it specify volumetric or other standards, or that comparisons are to be made with reference to the size and scale of the existing layout. Rather, it is an objective test which could include, amongst other things, the floor area, volume and form of the relevant building. The Council's House Extensions Supplementary Planning Document (June 2021) (SPD) indicates that an increase in size of over 33% of the original building will be considered to be disproportionate and therefore unacceptable based predominantly on floorspace and volume. It also notes that covered and enclosed curtilage structures should be considered as part of the assessment of floorspace when considering whether an addition is disproportionate.
 6. The Gables, which is 'locally listed', is an Arts and Crafts style dwelling house with timber and render facades of a mock Tudor historical style believed to have been constructed circa 1907. Extracts from old Ordnance Survey maps indicate the existence of other buildings, now apparently demolished, on the current appeal site dating from before 1948. The size and form of these buildings cannot be determined for certain and it is unclear what, if any relationship, there may have been between them and the original dwelling.
 7. More recently, The Gables has been the subject of a number of extensions. The agent for the appellant indicates that the building as now extended is equivalent in size to that of the original building. No allowance has been made in this assessment for the pool enclosure building, sited to the rear of the dwelling and erected in accordance with a permission granted in 2000. The Council has included this building when assessing the effects of proportionality.
 8. I have considered the position and relationship of the pool enclosure building with the main house. In this respect, the pool enclosure building, whilst sizeable, is domestic in scale, part of the same planning unit, connected with the residential use of the dwelling and located in proximity to the main building. Having regard to case law¹ which has established that for the purposes of the Framework an extension can include structures which are physically detached from the building, I consider it is reasonable to include this building in any necessary comparison with the appeal proposal.
 9. On the photographic and map evidence available, even if the demolished buildings may have been part of the original building, it would have been smaller than the footprint of the modern building and its curtilage structures. Hence whilst considered in isolation, the extension now proposed would be of limited size and subservient in relation to the current dwelling, its cumulative scale, bulk and floor space alongside earlier extensions must be considered. Accordingly, the size of the existing and proposed extensions, in combination, would be disproportionate to the scale of the original dwelling.
 10. Accordingly, the development is inappropriate development within the Green Belt which is by definition, harmful to the Green Belt and substantial weight must be attributed to that harm. Policy GB1 of the Warrington Local Plan (Local Plan)

¹ Warwick DC v SSLUHC, Mr J Stoner and Mrs A Lowe (2022) EWHC 2145

mirrors national policy in relation to the Green Belt and allows for development proposals to be approved when they accord with relevant national policy. Accordingly, the proposal would also conflict with Policy GB1 of the Local Plan.

Openness

11. The essential characteristics of the Green Belt are their openness and permanence. The extension, albeit modest, would increase the level of built development in this location and would result in a more sizeable building. However in the context of a large well screened plot, and distance from the highway, the proposal would not conflict with any of the GB purposes listed in the Framework and any adverse effects on the visual and spatial openness of the Green Belt would be limited.

Other Considerations

12. Other than on Green Belt grounds, there are no objections to the proposal. However, the absence of harm in other respects is not a positive consideration as acceptability in design and amenity terms is to be expected. The Council identifies The Gables as a non-designated heritage asset and on the information available to me The Gables has heritage significance in terms of its history, form and detailing. The Framework is clear that the effect of an application on a non-designated heritage asset must be taken into account in determining the application and that a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the asset. I note that the Council do not raise any due concerns in relation to any detrimental impact upon the character of the heritage asset. Given its design would be in keeping with the character and appearance of the existing building, I concur with this assessment. I conclude that the significance of the Gables as a non-designated heritage asset would be unharmed. However, the lack of harm in this respect does not weigh in favour of the proposal.

Conclusions

13. I have found that the proposal would be inappropriate development within the Green Belt. The resultant harm carries substantial weight in its own right. The effect of the proposal on openness would be neutral. No substantive other considerations in favour of allowing the appeal have been identified. It follows that the harm by reason of inappropriateness would not be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal. I therefore conclude the appeal should be dismissed.

K Winnard

INSPECTOR