



Appeal Decision

Site visit made on 17 March 2025

by **Andrew Dale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref. APP/W4325/D/24/3356880

Westward Ho, Mount Road, Higher Bebington, Wirral CH63 6HB

- 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 Lee Smith against the decision of Wirral Metropolitan Borough Council.
 - The application ref. is APPH/24/01185.
 - The development proposed is a single-storey front extension.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The appeal site is located in the Green Belt. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan includes the Wirral Unitary Development Plan (UDP).
3. The National Planning Policy Framework (the Framework) is a material consideration in planning decisions. The version of the Framework published in December 2024 does not materially differ from the previous version, insofar as the planning policies around the main issues in this appeal are concerned.
4. The Council's Supplementary Planning Guidance 11: *House Extensions* (SPG11) is also a material consideration, as is the emerging Wirral Local Plan (WLP). The WLP is at a very advanced stage in its progress to adoption and so weight can be given to its policies and strategy.

Main issues

5. Flowing from the reason for refusal on the decision notice, the main issues are:
 - (i) Whether the proposal would amount to inappropriate development in the Green Belt; and
 - (ii) If the development would be inappropriate in the Green Belt, whether the 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.
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Reasons

Whether the proposal would amount to inappropriate development in the Green Belt

6. Section 13 of the Framework, titled *Protecting Green Belt land*, explains that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
7. The Framework goes on to say that development in the Green Belt is inappropriate unless one of the listed exceptions applies. The exception at paragraph 154 (c) 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. As the appellant notes, the WLP simply seeks to follow national policy for the Green Belt.
8. The Framework and the WLP have no definition, volumetric or otherwise, as to what would amount to disproportionate additions. In this scenario, it would be a matter of planning judgement in each case based on the key question of whether the sum total of existing and proposed extensions to the original building would be disproportionate in size to it. It could follow that a small extension could represent a disproportionate addition if the original building has previously been extended.
9. UDP Policy GB5, relating to the extension of existing dwellings in the Green Belt, states that such extensions will be permitted '*...provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling, and subject also to the enlarged dwelling not having a harmful visual impact on its surroundings.*' This is repeated as a general principle in SPG11 and follows the broad approach in the Framework whilst also adding to it. UDP Policy GB5 is not therefore inconsistent with the Framework.
10. Westward Ho is a substantial detached 2-storey house with single-storey wings to the front/northern flank and to the rear. It is reasonable to look at the increase in size in terms of floorspace as the Council has done. The Council considers that the original dwelling has a baseline floor area of 280 sqm and that additions to it (the space now occupied by the games room, gym, swimming pool and conservatory) of 318 sqm already considerably exceed the 50% limit included in UDP Policy GB5. In fact, they represent an increase of 113.6%. The appeal proposal would add about 24 sqm, so that the percentage increase over the original dwelling would end up at about 122%. The Council's calculations are not disputed by the appellant.
11. I accept that the proposed single-storey front extension would be small in size in itself, fit neatly between 4 sections of house walling that surround a gated front yard, be built over an existing area of paving stones and not exceed the height of the buildings to which it would be adjoined. It would also be set well back from the road, being hidden from it and other vantage points. The design and position of the proposed extension within the existing setting would be favourable. Still, focussing just on these considerations would deflect from the correct approach which is to consider all cumulative increases in size from the original dwelling over time.
12. It is my planning judgement that given the sheer size of the previous extensions, the proposal would unacceptably consolidate an already significant cumulative increase compared to the size of the original building. Additions which more than

double the floorspace of the original building are and would be wholly disproportionate on a numerical basis. In physical terms, the sprawling extent of the later extensions is notable and the increase in floorspace arising from the subject front extension would result in even greater bulk to the side and front of the original building being apparent to observers as they enter the site from Mount Road.

13. I find that the proposed extension would result in disproportionate additions over and above the size of the original building. The proposal would therefore amount to inappropriate development in the Green Belt and conflict with UDP Policy GB5, SPG11, the WLP and the Framework. Yet, given its design and position within the existing setting, the proposed extension would not conflict with any of the Green Belt purposes listed in the Framework and the direct loss of openness caused by it in spatial and visual terms would be limited.

Other considerations

14. Believing that the modest addition being proposed to the dwelling should not be considered disproportionate for the factors put forward in paragraph 11 above, the appellant, understandably, did not specifically list any other considerations in support of the proposal that might have amounted to the very special circumstances required to justify the proposal.
15. Nevertheless, the extension would clearly be beneficial in enlarging and reconfiguring the ground floor kitchen/utility space. This is a private benefit to which I afford only limited weight.
16. There were no objections to the scheme in terms of its design and visual appearance or its impact on neighbouring amenities. However, achieving well-designed places is an expectation for all development and so these aspects of the scheme do not count positively in its favour.
17. The application did not attract any objections from neighbours or community groups but this is a neutral factor weighing neither for nor against the proposal.
18. I have read the emails submitted with the appellant's statement of case. The erroneous advice provided by the Council's officer in relation to the likely positive outcome of the planning application the subject of this appeal will have been a source of frustration for the appellant but he recognises that it does not form grounds for appeal. Such advice is given informally without prejudice to any future application and does not have the weight of a previous planning permission.

Whether very special circumstances exist

19. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework confirms that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
20. The proposal would be inappropriate development in the Green Belt. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. Even taken together, the other considerations I have identified in the appellant's submissions offer only moderate support for the scheme and do not

clearly outweigh the harm. Consequently, the very special circumstances necessary to justify the development do not exist.

Final balance and conclusion

21. The proposed development conflicts with the development plan, the Framework and the WLP and there are no other material considerations to outweigh that finding. Therefore, for the reasons given and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR