
Appeal Decision

Site visit made on 4 March 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2025

Appeal Ref: APP/P2365/D/24/3352640

33 Daisy Lane, Lathom, Lancashire L40 4BS

- 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 and Mrs Whiteside-Ehlen against the decision of West Lancashire Borough Council.
 - The application Ref is 2024/0515/FUL.
 - The development proposed is demolish existing garage and construct a rear and side single storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 development on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property and the area; and
 - 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

Inappropriate development

3. The appeal property lies in the Green Belt where development is inappropriate unless it falls within identified exceptions set out in the Framework. One such exception, at paragraph 154(c), is 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. Policy GN1 of the West Lancashire Local Plan Development Plan Document (LP), adopted October 2013, states that development proposals within the Green Belt will be assessed against national and any relevant Local Plan policies.

4. Neither the Framework nor LP Policy GN1 define what is meant by a disproportionate addition. However, Policy GB4 of the Development in the Green Belt Supplementary Planning Document (SPD) states that an extension to an existing building in the Green Belt should satisfy criteria that include the requirement that the total volume of the proposal, together with any previous extensions, alterations and non-original outbuildings, shall not result in an increase of more than 40% above the volume of the original building. The SPD advises that the figure is a guide only and there may be circumstances where an extension marginally more than 40% of the original property, and of a similar form to that shown on Figure 3, would be acceptable. This provides a reasonable method of determining whether an extension would be disproportionate.
5. The main parties agree that cumulatively the proposed extension would result in a volume increase of the original building of around 46% and there is nothing before me that would lead me to disagree. This is a notable, and not marginal, exceedance of the 40% guidance. The circumstances set out in the SPD where a larger extension may be permissible do not apply in this case as the proposal is not of a similar form to that shown in Figure 3. I therefore find that the proposal would result in disproportionate additions to the original building.
6. Accordingly, the proposal would be inappropriate development, and, in that regard, it would conflict with LP Policy GN1.

Openness

7. Paragraph 142 of the Framework states that 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.
8. The proposed extension would not be prominent in views from the public highway, due to its single storey nature and it being set back some distance from the front elevation. Nevertheless, it would increase the scale and massing of the dwelling and would, by virtue of it having a larger footprint than the garage it would replace, introduce built form where there is currently none. Consequently, the proposal would result in a modest visual and spatial loss of openness of the Green Belt.
9. On this issue, I conclude that there would be a loss of openness of the Green Belt arising from the proposal which would conflict with paragraph 142 of the Framework.

Character and appearance

10. The appeal property is a two-storey red brick semi-detached bungalow on Daisy Lane which is in the countryside. Daisy Lane comprises two-storey dwellings and bungalows, predominantly constructed in red brick or stone, although render has been added to some properties. Many of the dwellings have been extended and altered. Consequently, the area has a mixed character and appearance.
11. The angled rear elevation together with the use of black recycled composite cladding and shallow, mono-pitched roof would materially alter, the character and appearance of the host property. However, as it would be single storey and of a dark, recessive colour it would appear subservient to the main dwelling particularly when viewed from the public highway. Furthermore, its contrasting contemporary form would complement the traditional design and appearance of the existing

dwelling in a pleasing manner. Considering the mixed character and appearance of the surrounding built environment, the contrasting appearance of the proposal would not be incongruous and would not disrupt a uniform street scene.

12. The longest elevation of the proposal would be greater than the length of the existing property, which the Design Guide Supplementary Planning Document states extensions should generally not exceed. Nonetheless, it would not extend further to the rear of the dwelling than the single storey outrigger of the adjoining dwelling, 31 Daisy Lane. In this context it would not be seen as an excessively long addition to the dwelling.
13. Consequently, the proposal would not harm the character and appearance of the host building or the area and would accord with the design aims of LP Policy GN3 that proposals should be of a high quality, have regard to visual amenity and complement their surroundings.

Other considerations

14. The appellants have set out a possible fall-back position, namely the construction of extensions under permitted development (PD) rights. The potential fall-back position illustrated within the appellants' case in part extends beyond the rear wall of the original semi-detached dwellinghouse by more than 3 metres (m) and, therefore, it would be subject to a prior approval application process. There are no guarantees such an extension would be granted under such a process, notwithstanding that no objections to the appeal proposal were received. As a result, I attribute limited weight to the fallback position that is set out the appellants' case.
15. I acknowledge that smaller extensions could be constructed without the need to go through the prior approval process. However, the total volume would be considerably less than the proposed 46% increase to the size of the original dwellinghouse. As such they would not be directly comparable to the appeal proposal and, therefore, I afford it limited weight in the final balance.
16. My attention has been drawn to other properties on Daisy Lane, and in the wider area, that have had extensions exceeding 40% of the original dwellinghouse. However, as I do not have full details of such schemes, I cannot be certain that the circumstances which led to their approval are the same as the proposal before me. Accordingly, I have determined this appeal on its merits, based on the site-specific circumstances of the case, and have afforded limited weight to such developments.
17. I note the lack of objection from the residents of Daisy Lane and the representations that have been received in support of the scheme. However, such factors do not weigh in favour of the appeal proposal.

Green Belt balance and conclusions

18. Paragraph 152 of the Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework advises that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless that harm, and any other harm, are clearly outweighed by other considerations.

19. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. I have also found harm, albeit limited, to its openness.
20. The other considerations I have identified are of no or limited weight in favour of the proposal. Consequently, these considerations, along with all other matters acknowledged in the evidence, do not clearly outweigh the identified harm to the Green Belt, either individually or collectively, so as to amount to the very special circumstances necessary to justify the development.
21. The proposed development therefore conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harms and associated development plan conflict.
22. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR