



Appeal Decision

Site visit made on 15 April 2025

by **K Winnard LL.B Hons Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal Ref: APP/P2365/D/25/3361537

35 Carr Lane, Tarleton, Lancashire PR4 6DD

- 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 Jack Cookson against the decision of West Lancashire Borough Council.
 - The application Ref is 2024/1069/FUL.
 - The development proposed is described as the demolition of existing conservatory and new single storey extension to rear and side of the existing dwelling. Rearrange the existing driveway and form new access off Carr Lane to improve the safety of access and egress allowing for exiting the site in a forward gear.
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Decision

1. The appeal is dismissed in relation to the demolition of the existing conservatory and new single storey extension to the rear and side of the existing dwelling. The appeal is allowed in relation to the rearrangement of the existing driveway and formation of a new access off Carr Lane and planning permission is granted for the rearrangement of the existing driveway and formation of a new access off Carr Lane at 35 Carr Lane, Tarleton, Lancashire PR4 6DD in accordance with the terms of the application, Ref 2024/1069/FUL, and the plans submitted with it insofar as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 130/PO1A.

Procedural Matter

2. The proposed development has a number of elements. The Council has no objections to the rearrangement of the driveway and the proposed new driveway entrance. Accordingly I shall direct my assessment to the proposal for a new single storey extension to the rear and side of the existing dwelling.

Main Issues

3. The main issues in the appeal 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;
- 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

- 4 The appeal property, No 35 Carr Lane (No 35) is a bungalow, which has been previously extended, sited within the Green Belt on a residential street which backs onto open fields. The Framework states that the construction of new buildings within the Green Belt is inappropriate development unless the development falls within specified exceptions. These include the extension or alteration of a building provided it does not result in a disproportionate addition over and above the size of the original building. The West Lancashire Supplementary Planning Document Development in the Green Belt (October 2015) (SPD) Policy GB4 quantifies matters further by advising that the total volume of the proposal, together with any previous extensions and non-original outbuildings, should not result in an increase of more than 40% above the volume of the original building.
5. The Framework requires that an assessment of whether an addition is proportionate is made with reference to the original building, in this case as it existed on 1 July 1948. The appellant's own calculations, which on the information before me do not appear to take into account extensions added under planning references 8/6/11670 and 8/77/161, nevertheless still show the percentage increase to be over the 40% threshold.
6. The Framework does not detail what a disproportionate addition means, nor specify volumetric or other quantitative standards where an extension might be considered disproportionate. However it specifically refers to size which can be more than a function of floor space. In my view it is an objective test considering all relevant circumstances including, amongst other things, the floor area, volume, form and scale of the relevant building. In this instance the form of the building would change considerably. More specifically the proposed extensions would undoubtedly increase the width of the dwelling at the rear and the side whilst also significantly altering its appearance. I appreciate that No 35 sits within a generous plot, and that a large area of undeveloped space would be retained. However, the resultant building would, notwithstanding the demolition of the existing conservatory, be substantially larger than its existing counterpart.
7. Accordingly the extensions would be sizeable, the scale of which would amount to a disproportionate addition to the original building. It would therefore be inappropriate development within the Green Belt which by definition would be harmful to the Green Belt and to which I attach substantial weight.

Openness

7. The essential characteristics of the Green Belt are their openness and permanence. The proposal would increase the level of built development in this location and would result in a more sizeable building exacerbated by the mass of

the side and rear extensions. As such the proposal would have an adverse effect on the openness of the Green Belt. There is also a visible aspect to openness. No 35 is sited within a large plot and well screened from Carr Lane and the development would be primarily to the rear of the dwelling. Views of the proposal from Carr Lane would be relatively unobtrusive. As such whilst the proposal would not be harmful to the visual amenity of the Green Belt, it would result in a small loss of openness to the Green Belt, contrary to the local and national policies that protect it.

8. Therefore, in addition to the harm arising from the fact that the development would be inappropriate, there is a degree of harm arising from the loss of openness contrary to the one of the purposes of including land within the Green Belt. The proposal would also be contrary to Local Plan Policy GB4, details of which I have already given.

Other Considerations

9. 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 contribution as acceptability in design and amenity terms is to be expected. The proposal would provide additional enhanced living accommodation for the appellants and their family. However it has not been demonstrated that the appeal proposal is the only practical option to achieve such benefits and accordingly I attach only modest weight to this factor.
10. The appellant also refers to the scale and design of neighbouring properties in making comparisons as to when determining whether a proposal is disproportionate or not. The Framework, nor local plan policy allows for comparisons to be made against neighbouring properties when determining whether a proposed extension is disproportionate or not. Specific reference has also been made to extensions granted at neighbouring properties. However, I do not know the full circumstances surrounding any of these developments nor the relationship of these extensions to the size of the 'original building'. Accordingly direct parallels with these developments are not easily drawn and as such they merit limited weight. In any event I am determining the appeal proposal on its own merits.
11. I have considered the lack of objections from consultees. However this in itself does not indicate a lack of harm arising from the proposal. Likewise whilst the proposed extensions would use materials in keeping with the local vernacular aspects of good design are fundamental to all development and as such would not represent a notable benefit.

Other Matter and Conditions

12. As the proposed driveway replacement/new access is both physically and functionally severable from the other elements of the proposal, I find that a split decision would be appropriate in this instance. Accordingly, the appeal should succeed in relation only to the new replacement access. In respect of the proposed new access/rearrangement of access provisions, I have attached the standard time condition and a plans condition to provide clarity and certainty to the approved scheme.

Green Belt Balance

13. The proposed extensions would be inappropriate development within the Green Belt which is by definition harmful to the Green Belt. In accordance with the Framework substantial weight must be given to any harm to the Green Belt and very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by such considerations.
14. The other considerations highlighted above provide little support to the proposal. They do not, whether taken individually or cumulatively clearly outweigh the totality of the harm I have identified. Accordingly, the very special circumstances necessary to justify the development do not exist. Thus, overall, there would be conflict with the Development Plan and the Framework.

Conclusion

15. I find that a split decision would be appropriate in this instance. Accordingly the appeal should succeed in relation to the rearrangement of the driveway/new access. However, in relation to the demolition of the existing conservatory and new single storey extension to the rear and side of the existing dwelling the appeal should be dismissed.

K Winnard

INSPECTOR