



Appeal Decision

Site visit made on 20 May 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th June 2025

Appeal Ref: APP/V4250/D/24/3358191

1 Saddle Tree Fold, Lowton, Lancs WA3 1BP

- 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 Raymond Jackson against the decision of Wigan Metropolitan Borough Council.
 - The application Ref is A/24/97541/HH.
 - The development proposed is described as 'proposed detached summerhouse'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's name on the appeal form differs from that set out on the application form that is used in the banner heading above.
3. The main parties have been given the opportunity to comment on the revised National Planning Policy Framework (the Framework) published in December 2024 and in reaching my decision I have taken account of any responses received. For the avoidance of doubt, where reference is made to the Framework, the paragraph numbers quoted are those that appear in the latest version.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - 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

5. The appeal site lies in the Green Belt where development is inappropriate unless it falls within identified exceptions set out in the Framework. Policy JP-G9 of the Places for Everyone Joint Development Plan Document (PfE), adopted on

24 March 2021, seeks to enhance the beneficial use of the Green Belt without harm to its openness, permanence or ability to serve its five purposes. It is therefore consistent with the Framework.

6. The Council has considered the proposal against Framework paragraph 155(g). This exception states that the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt, is not inappropriate.
7. The Framework does not define 'limited infilling' and no development plan definition has been brought to my attention. This is therefore a matter of judgement for the decision maker. In my view, infill development is generally the filling of a small gap in an otherwise built-up frontage. In this case, the proposal would not be sited in such a gap between buildings. Therefore, whilst the proposal is limited in terms of its scale, and fills the front corner of the garden, it does not represent limited infilling. Furthermore, as the proposal is for a detached summerhouse within an existing garden it would not amount to 'partial or complete redevelopment'.
8. Due to the limited scale and position of the proposal within a site enclosed by a mature boundary hedge or tall close boarded fence and gate, the proposal would not result in a loss of visual openness of the Green Belt. However, as it would introduce built form to part of the site that currently is devoid of buildings, the proposal would reduce the openness of the Green Belt spatially. Such a loss of openness would, nonetheless, be limited in the context of the site and its surroundings and, therefore, I find that the proposal would not substantially harm the openness of the Green Belt.
9. Accordingly, based on the evidence before me, I agree that the appeal site meets the definition of previously developed land, as set out in Annex 2 of the Framework, and would result in limited, not substantial, harm to the Green Belt. Nonetheless, the proposal does not meet the exception at Framework paragraph 154(g) for the above reasons.
10. In conclusion, the proposal would be inappropriate development, and, consequently, it would conflict with PfE Policy JP-G9.

Character and appearance

11. The appeal site contains a detached, red brick bungalow and garage set back from Byrom Lane, which has a loose and sporadic form of development comprised of buildings of varied design and appearance, interspersed by undeveloped spaces.
12. The flat roofed design of the summerhouse and the proposed use of composite panels would contrast with the appearance of the existing site buildings. However, given its limited scale, it would have a subservient appearance that would not aesthetically compete with such buildings. As such, the proposal would respect and not harm the character and appearance of the host property.
13. Furthermore, as very little of the proposal would be visible from outside of the appeal site, for the above reasons, it would not be prominent or incongruous within the street scene.

14. Accordingly, the proposal would not harm the character and appearance of the host property or the area. It would therefore accord with Policy CP10 of the Core Strategy, adopted September 2013, and PfE Policy JP-P1, which seek to promote ensure that development respects the character and identity of the locality.
15. As the proposal is for a detached summerhouse the House Extensions Design Guide Supplementary Planning Document, as referred to by the Council in its decision, is not directly relevant. Nonetheless, as I have found the appearance of the proposal to be acceptable, it would broadly accord with the aims of the SPD that development achieves good design.

Other considerations

16. According to the submissions, the existing bungalow replaced a stable building on the same footprint. An extension and detached garage have subsequently been added.
17. In this context, the proposed summerhouse would result in a modest increase in the extent of building within the appeal site. Nevertheless, it remains that the proposal is inappropriate development in the Green Belt for the reasons set out above and, therefore, conflicts with local and national policy. Accordingly, the planning history of the site and the scale of the development accrues limited weight in favour of the proposal.

Green Belt balance and conclusions

18. Paragraph 153 of the Framework states that when considering any planning application, substantial weight should be given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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.
19. I have concluded that the appeal scheme is inappropriate development and does, by definition, harm the Green Belt. I have also found harm, albeit limited, to its openness. I attach substantial weight to this harm to the Green Belt.
20. The other consideration I have identified is of 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. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR