



Appeal Decision

Site visit made on 30 September 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2025

Appeal Ref: APP/M0655/W/25/3369894

195 Myddleton Lane, Winwick, Warrington WA2 0RL

- 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 & Mrs Chadwick against the decision of Warrington Borough Council.
 - The application Ref is 2025/00229/FULH.
 - The development is a two-storey side and rear extension and single storey front extension with associated works.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side and rear extension and single storey front extension with associated works at 195 Myddleton Lane, Warrington WA2 0RL in accordance with the terms of the application, Ref 2025/00229/FULH, subject to the following conditions:
 - (1) The development hereby permitted shall be carried out in accordance with drawing nos: 4746-001 Revision B and 4746-101 Revision A.
 - (2) All materials to be used in the approved scheme shall be as stated/shown on the application form and approved drawings and shall not be varied without the prior written approval of the local planning authority.

Preliminary Matter

2. The development has already been undertaken and therefore I have determined this appeal on the basis that it is a retrospective proposal.

Main Issue

3. The main issue is whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies.

Reasons

4. Policy GB1 of the Warrington Local Plan 2023 (LP), states that other forms of development defined in national planning policy to be an exception to inappropriate development within the Green Belt, will be supported, subject to meeting other relevant Local Plan policies and any relevant Supplementary Planning Documents. I would concur with the Council that the usual strand of the Framework against which a development such as that subject to this appeal would be considered against would be paragraph 154c), which refers to 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. There is no dispute between the

parties that the appeal development is a disproportionate addition and therefore that the exception set out in paragraph 154c) does not apply.

5. However, I also agree with the view set out in the Counsel opinion provided by the appellant that there is no express or implied exclusion of householder developments from being considered under paragraph 154g) of the Framework. That is an exception for 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. There is nothing to my mind in the wording of that paragraph, or indeed in any other associated text in the Framework, which would exclude the appeal development from being considered against this provision.
6. There are, therefore, a number of assessments to be made. In terms of infilling, what has been built does infill between existing built development that has taken place at the two dwellings immediately adjacent. This is the case on all three elevations on which extensions have been built to the appeal property. The amount of development that has taken place is no more than that which has served to infill the gaps, and as such this can reasonably be considered to be limited infilling. The definition of previously developed land set out in Annex 2 of the Framework excludes land in built-up areas such as residential gardens. The question in that respect is therefore whether the appeal site can be said to be located within a built-up area or not. Although the Council refers to the matter of whether the appeal dwelling is isolated, that is not the relevant test.
7. The appeal dwelling is one of twelve dwellings which form a short ribbon of development which is quite distinct from the settlement of Winwick. To the east of the settlement the Winwick Link Road in effect forms a physical barrier to the existing edge of the built-up area and the twelve dwellings are separate from this, with part of an agricultural field intervening. That large field extends behind the dwellings, and directly opposite the dwellings on the other side of Myddleton Lane there is another large agricultural field. Whether walking from Winwick, stood to the front of the appeal dwelling or within its rear garden area, there is no sense of being within a built-up area. Therefore, the appeal site falls to be considered as previously developed land.
8. The bar of substantial harm to openness must, in my view, sit higher than the harm which has resulted from the appeal development. I have found that the development has infilled gaps between existing built development, which reduces the impact that has occurred on Green Belt openness. Whilst there has nonetheless been some loss of openness in both a visual and a spatial sense, given the scale of the built development that has been undertaken and in the circumstances that I have described, this harm has been no more than moderate. As a whole therefore, I find that the development is not inappropriate development in the Green Belt by virtue of paragraph 154g) of the Framework.
9. The Council draws my attention to two recent appeal decisions in its administrative area. The Avenue appeal decision¹ refers only to paragraph 154c) of the Framework. As the appeal was dismissed and the matter of paragraph 154g) is not referred to at all in the decision, I would infer that the appellant, as the losing party,

¹ APP/M0655/D/24/3353372

did not seek to make a case with respect to paragraph 154g). The second case at Hatton Lane² is an appeal that I was the appointed Inspector for. Whilst there are some uncannily striking similarities between that appeal site and the current appeal site in a locational sense, the dwelling in question at Hatton Lane sits immediately adjacent to a plot of relatively open land on which several garages of only a very small scale are found.

10. The appellant in that case referred to paragraph 154g) briefly in their submissions. There was not a case to be made that that proposed development would have been infill of any form, given the nature of the site immediately to the side of where the proposed extension would have taken place. What was proposed would clearly not have been the partial or complete redevelopment of previously developed land, as no redevelopment would have taken place. It is pertinent to note that the appellant in this current appeal case does not suggest that the development now before me should be considered to be a partial or complete redevelopment, and that I would not have found in their favour on this point if they had put it forward.
11. I acknowledge that the appeal development has already been subject to an earlier appeal which was dismissed³. However, the appellant's case is now materially different and thus I have assessed it upon its own merits. I do not agree with the Council's concern that a favourable finding on paragraph 154g) of the Framework would in effect permit any extension at a dwelling under that exception, in particular as it is evident from my assessment that there are a number of separate tests that must be satisfied to meet that part of Green Belt policy.
12. In conclusion, I find that the development is not inappropriate development in the Green Belt as it falls within the exception listed in paragraph 154g) of the Framework. Consequently, the development accords with Policy GB1 of the LP.

Conclusion

13. The development would not be inappropriate development in the Green Belt. The Council has raised no further concerns with respect to any other aspect of the development, and I find no reason to disagree.
14. It is necessary to impose conditions specifying the approved plans and the approved materials, to provide certainty. The condition the Council suggests relating to the time period to commence development is not necessary as the development has already commenced. The suggested condition regarding parking spaces lacks precision as it could be satisfied by providing parking spaces for something other than a car. But, in any event, the site frontage is already surfaced and appears to be available for the parking of three cars. Such a condition is therefore not necessary either.
15. Subject to the two conditions outlined, the appeal should be allowed.

Graham Wraight

INSPECTOR

² APP/M0655/D/25/3360750

³ APP/M0655/D/23/3321327