

APPEAL BY ELIZABETH AND ADRIAN BICKERTON AGAINST THE DECISION OF THE BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR A NEW DOMESTIC GARAGE AT ROSEBANK, NEW ROAD, WRINEHILL

<u>Application Number</u>	18/00490/FUL
<u>LPA's Decision</u>	Refused under delegated authority 17th August 2018
<u>Appeal Decision</u>	Appeal dismissed
<u>Date of Appeal Decision</u>	13th December 2018

The Appeal Decision

The Inspector identified the main issues to be;

- Whether the proposal would be inappropriate development in the Green Belt
- The effect of the proposal on the openness of the Green Belt
- The effect of the proposal on the character and appearance of the local area
- If the proposal is inappropriate development, whether the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances to justify the development.

In dismissing the appeal the Inspector made the following comments:-

Whether the proposal is inappropriate development:

- The appellants offered to accept a condition requiring the demolition and removal of the existing garage. However, the new addition would be considerably larger than its existing counterpart in footprint and floor area. This increase would be materially larger than the building to be replaced and no exceptions listed in Paragraph 145 of the NPPF or in Policy S3 of the Local Plan would apply.
- The Inspector concluded that the proposal would be inappropriate development within the Green Belt.

Openness of the Green Belt:

- The reduction in the openness of the Green Belt would be significant in this case given the considerable scale, height and bulk of the new garage notwithstanding its position partly cut into the sloping ground.
- The Inspector concluded that the scheme would erode the openness of the Green Belt and so conflicts with the provisions of the Framework.

Character and Appearance:

- The Inspector noted that the proposed building would be appropriate in design and would be sited to take advantage of the sloping ground and reasonable level circulation space available.
- However, given the sizeable gap between the new addition and the existing dwelling the proposal would clearly be a freestanding building that would be out of keeping with the layout and character of the existing properties along the same side of New Road.
- Whilst planting would partly screen the proposal and visually soften its appearance in the street scene, the new garage would still be obtrusive given its considerable size and height and the lack of any other significant buildings within the front gardens of nearby properties
- It would be an uncharacteristic and visually intrusive addition to the local area.

- The Inspector concluded that the proposal would disrupt the established pattern of existing development and detract from the character and appearance of the local area and so conflicts with Policy CSP1 of the Core Spatial Strategy.

Other considerations:

- The Inspector noted that a potential fallback option for the erection of a similar, if not larger building in the rear garden of Rosebank is genuine and so is a consideration to be weighed in the planning balance
- However a PD compliant building in this location would differ in its shape and form to the proposal and would not be readily visible from the road. As such its visual impact would differ, perhaps significantly, to the appeal scheme. The Inspector therefore attached only moderate weight to this consideration.

Conclusion:

- The harm caused by the inappropriateness of the proposal, its effect on openness and on the character and appearance of the local area, and the conflict with the Framework and the development plan policies, carry substantial weight. The other considerations carry no more than moderate weight.
- On balance, there are no considerations sufficient to clearly outweigh the harm to the Green Belt and so there are no very special circumstances to justify the proposal.

Recommendation

That the appeal decision be noted.