

PLANNING STATEMENT

Proposed Two Storey Extension to Front Elevation,
Installation of Rooflight and Two Dormers to Existing
Front Elevation, Side Extension incorporating Front and
Rear Dormers and Installation of Two Dormers to
Existing Rear Elevation at Arrochar, Prescott Road,
Melling L31 1AT.

MPD Built
Environment
Consultants Ltd

1. Introduction

This application is to extend the existing property at Arrochar, Prescott Road, Melling L31 1AT. The proposals to extend can be summarised as follows:

- Two storey extension to the front with pitched roof projecting 1.2m forward of the existing front elevation.
- Installation of two dormers and a rooflight to the existing front elevation of the dwelling.
- Side extension including dormers to front and rear elevation
- Installation of two dormers to existing rear elevation

The installation of the two rear dormers to the existing dwelling are considered to permitted development under The Town and Country Planning (General Permitted Development) Order 2015 as amended under Part 1 of Schedule 2 Class B. Whilst, the rooflight on the front elevation is also considered to be permitted development under Class C. These have been included in the description for the sake of completeness to aid the Local Planning Authority.

2. The Site and Surroundings

The site is situated within the Green Belt, but forms part of a small settlement incorporating a mixture of commercial and residential uses. There is access to the site from Prescott Road at the front as well as existing access route from Prescott Road to the commercial area at the rear of the existing dwelling.

The site is accessed directly from Prescott Road (B5197). Currently there are three access/egress points to the road frontage from the site (See below).

Figure 1. – Access Points to Arrochar



The site itself consists of a large area of hardstanding to the front with an ornate water feature acting as a centre piece. There is also a gated access to the north which provides vehicular access to the yard area to the rear of the existing dwelling.

To the south of the site is open arable farmland which is separated from the site by a mature hedgerow. The existing dwelling on site is set back a considerable distance from the road frontage and is a large detached bungalow with a steep ridge height. There is also a detached garage situated on the site in front of the bungalow.

To the rear of bungalow beyond its immediate garden area is a storage yard area which contains a number of buildings and structures which are used for storage purposes.

3. The Proposals

The proposals consist of extensions and alterations to the existing bungalow on site comprising a two-storey extension to the front elevation. The installation of two dormer windows and a rooflight to the front elevation of the existing roof with a further two being added to the rear elevation. In addition, a side extension is proposed which will tie into the existing roofline and incorporate new dormers to the front and rear.

The proposals form part of wider redevelopment scheme which will see the removal of the non-conforming storage use to the rear of the site and the redevelopment of the area immediately in front of Arrochar for four new dwellings. This will provide benefits in terms of increased openness in the Green Belt with the clearance of the site to the rear.

4. Planning History

DC/2022/01070 – Permission in Principle for Residential Development was Refused on the 18th August 2022 for the following reasons:

1) The proposal constitutes inappropriate development in the Green Belt and the proposed development of up to nine dwellings would result in urban sprawl and encroach into the countryside, which would cause a harmful impact on the openness of the Green Belt. There are no very special circumstances, which outweigh the substantial harm to the Green Belt by inappropriateness and the actual harm to the openness of the Green Belt. The proposal is therefore contrary to paragraphs 147, 148 and 149 of the National Planning Policy Framework and Local Plan Policy MN7 'Green Belt'.

2) The site may be functionally linked to the following European Sites, Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar Site and Martin Mere SPA and Ramsar site, and a Habitats Regulations Assessment would be required to determine that there is no significant harm on the integrity of these sites. Under Section 5B(1)(b) of the Town and Country Planning (Permission in Principle) (Amendments) Order 2017 this proposal is categorised as a 'Habitats Development' as it requires assessment under the Habitats Regulations. It cannot, therefore, be considered by a Permission in Principle application and is contrary to the Town and Country Planning (Permission in Principle) (Amendments) Order 2017.

Following on from the refusal of the Permission in Principle application, pre-application engagement was undertaken with Sefton Council as the local planning authority to ascertain a view in relation to the potential redevelopment of this previously developed site in the Green Belt for residential purposes.

5. Planning Policy

The proposal is not considered to be contrary to the objectives of either national or local planning policy and in the following section we will set out the rationale for this reaching this view.

In the first instance it is necessary to consider the national planning policy context which is the National Planning Policy Framework (NPPF) published in September 2023. The NPPF is clear that Planning Permission should be granted for development where it accords with planning policy. To this end in **paragraph 7** of the NPPF the point is made that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The NPPF is clear that Planning Permission should be granted for development where it accords with planning policy. The National Planning Policy Framework in **Paragraph 11** makes it clear that a presumption in favour of sustainable development is at the heart of national planning policy and where a proposal accords with planning policy then it should be permitted without delay.

Paragraph 8 sets out the three overarching objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect

current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 9 reinforces the point that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. This is particularly relevant in relation to this proposal.

Further attention is drawn to **Paragraph 38** of the NPPF which encourages local planning authorities to approach decision-taking in a positive way by looking for solutions rather than problems. Decision-takers at every level should seek to approve applications by using the full range of planning tools available to them and working proactively with applicants.

Paragraph 53 of the NPPF, identifies local circumstances as a relevant factor to take into account when making decisions. In this case the site is a previously developed site within the Green Belt. **Paragraph 54** states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. **Paragraph 55** states Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 56 further states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 137 emphasises the importance of the Green Belt in preventing urban sprawl by keeping land open. However, in this case a building already

exists on site and whilst the development proposed will have a slightly greater impact on the openness of the Green Belt than the existing structure, significantly larger additions could be added utilising existing permitted development rights without the local planning authority being able to exercise any control over these.

Paragraph 138 outlines the five purposes of the Green Belt namely a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. As the site is a previously developed site within the Green Belt the proposal will not significantly compromise any of these objectives.

Indeed, by allowing the development and then removing the remaining permitted development the local planning authority will be able to exact more control over the impact of future development than refusing the proposals and forcing the applicant to develop utilising permitted development rights. The proposal therefore offers benefits to both the applicant and the LPA in that by granting planning permission the applicant gets the preferred development solution, whilst at the same time the LPA is in a stronger position going forward to protect the Green Belt from further incursion.

Paragraph 147 advises that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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. In this case, the resulting extensions proposed will have significantly less impact than additions which could be undertaken on the site utilising existing permitted development rights and therefore by definition will result in less harm to the open character of the Green Belt than if the applicant was forced to provide the additional accommodation utilising permitted development rights.

As indicated previously the applicant has indicated a willingness to forego existing permitted development rights on the existing property and new development in return for planning permission for this scheme. This could be

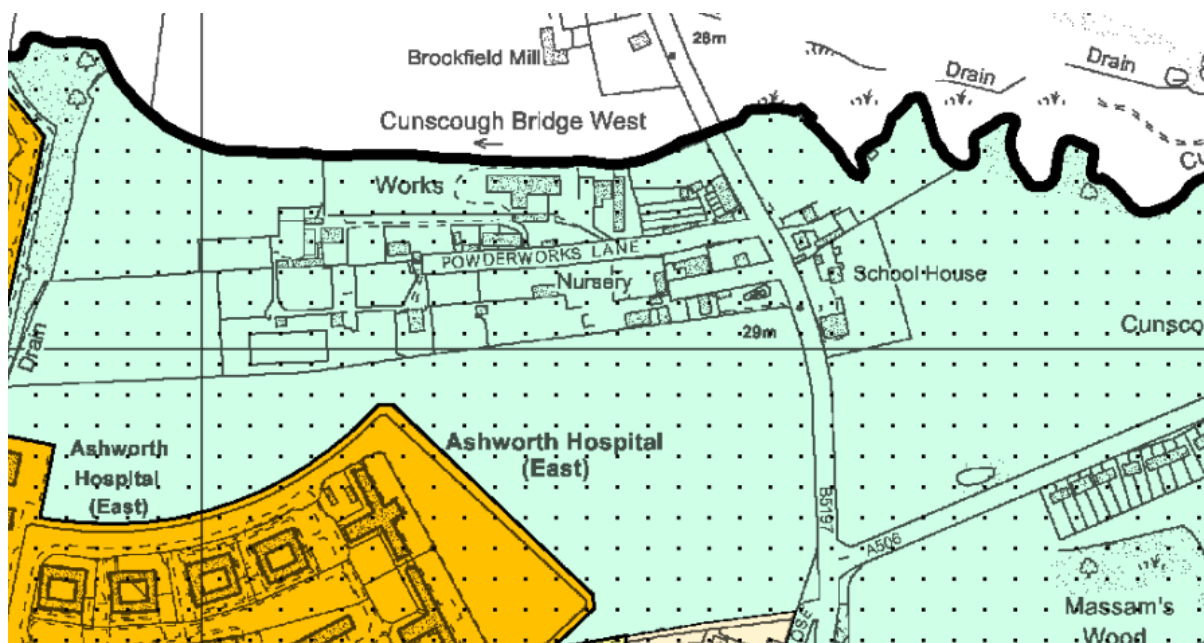
done either through the imposition of a planning condition on any planning permission granted or by way of a legal agreement through a Unilateral Undertaking.

Paragraph 148 puts substantial weight on any harm to the Green Belt resulting from inappropriate development in the planning balance. In this case whilst residential development may be deemed inappropriate, it will be replacing an existing form of inappropriate development with a significantly reduced volume and footprint of development when compared to the existing situation, which will result in greater openness which is a primary consideration in relation to the Green Belt, therefore it is considered that betterment can be demonstrated in this particular instance and this therefore constitutes 'very special circumstances' which would justify these proposals being granted planning permission.

Paragraph 149 states that new buildings within the Green Belt should be considered inappropriate development, but lists several exceptions to this including 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;

Local Planning Policy

The development plan for the borough is the Sefton Local Plan which was adopted in April 2017 and covers the period up to 2030.



SD1 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

1. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.
2. Where there are no policies relevant to the proposed development, or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether:
 - a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework taken as a whole, or
 - b. Specific policies in the NPPF indicate that development should be restricted

MN7 GREEN BELT

Extent of the Green Belt

1. The extent of the Green Belt in Sefton is defined on the Policies Map.

Development in the Green Belt

2. The construction of new buildings, some changes of use, and other development is generally regarded as inappropriate development in the Green Belt, subject to the exceptions set out in national planning policy.

Inappropriate development in the Green Belt will not be approved except in very special circumstances.

Extensions to buildings and replacement buildings

3. National Green Belt policy requirements relating to the extension or replacement of existing buildings will be interpreted as follows:

a. In general, proposals to extend the original building by more than one third (by volume) either individually or cumulatively with other extensions are considered 'disproportionate' and therefore inappropriate in Green Belt; and

b. Replacement buildings that are more than 15% larger (by volume) of the existing building(s) are considered inappropriate in Green Belt.

EQ2 DESIGN

Development will only be permitted where:

1. In relation to site context:

a. The proposal responds positively to the character, local distinctiveness and form of its surroundings

b. In areas of lesser quality the development enhances the character of the area rather than preserves or reproduces negative aspects of the existing environment

c. Key views of townscape, including landmark and gateway buildings, and important landscape features are retained or enhanced.

2. In relation to site design, layout and access: The arrangement of buildings, structures and spaces within the site, including density and layout, and the alignment and orientation of buildings, relates positively to the character and form of the surroundings, achieves a high quality of design and meets all of the following criteria:

- a. Ensures safe and easy movement into, out of, and within the site for everyone, including pedestrians, cyclists and those with limited mobility
- b. Integrates well with existing street patterns
- c. Protects the amenity of those within and adjacent to the site
- d. Ensures the safety and security of those within and outside the development through natural surveillance and the creation of active frontages
- e. Creates well-connected attractive outdoor areas which fulfil their purpose well.

3. In relation to the design of buildings and structures:

- a. Proposals make a positive contribution to their surroundings through the quality of their design in terms of scale, height, form, massing, style, detailing, landscaping, use of materials and meet criteria (b) to (d) listed in part (2) above (replacing 'site' with 'building' in c.)
- b. Proposals for non-residential buildings consider flexibility in design to facilitate conversion to other uses in the future
- c. Proposals for residential buildings consider the adaptability of new homes to meet the long term needs of residents
- d. Proposals are designed to take advantage of natural solar gain.

4. In relation to major and urban edge sites the following additional criteria apply:

- a. Key landmarks are retained, and new gateway features provided, to ensure locally distinctive developments
- b. Structural planting is provided to soften the urban edge and provide a suitable transition to open countryside
- c. A clear road hierarchy is set out, and different character areas within the development are provided, to assist navigation through and around the development.

House Extensions Supplementary Planning Document (Adopted 2023)

An SPD relating to house extensions has been adopted by the Council. The site is not covered by a Neighbourhood Plan therefore there are no other relevant policies that impact the development except those contained within the NPPF, the Local Plan and the SPD.

In arriving at the proposed design for the proposals account has been taken of the prevailing character of the area along with the design associated with the proposed redevelopment of the site for residential purposes which is the subject of a separate application. It is considered that the proposals accord with **General Principle 1** of the SPD which requires extensions and alterations to *'be in keeping with the appearance, scale, design and character of the local area and the street scene.'*

General Principle 2 requires that *'the design of a house extension to complement the existing building.'* It is considered that design of the extensions compliments and respects the existing property in terms of scale, materials and detail, whilst integrating into the existing roof of the dwelling in line with SPD requirements.

General Principle 3, 4, 5 and 6 relate to privacy, overshadowing, loss of light and outlook and it is considered that the development of the wider site ensures sufficient amenity is maintained for the existing dwelling along with the proposed new development on the site in accordance with the SPD.

General Principle 7 relates to sufficient outdoor space being retained and again it is considered that the proposals retain a more than adequate amount of private amenity space for the residents of the dwelling.

A further consideration in relation to this site is that it is located within the Green Belt. The SPD seeks to restrict disproportionate extensions in the Green Belt and as such permit's extensions up to a third of the size of the original dwelling unless 'Very Special Circumstances' can be demonstrated. The property retains its full complement of permitted development rights as it has not previously been extended. Given that since 2013, the Government has pursued a strategy of deregulation in the planning system through incremental changes to permitted development rights which allow householders greater autonomy over changes they can make to their properties without the need

for planning permission. It is important that consideration is given to extensions that could be undertaken utilising permitted development when considering these proposals as it is clear that a much larger quantum of development could be achieved utilising nationally prescribed PD rights than is being proposed and this is therefore a material planning consideration which means to be considered as part of the planning balance.

6. Analysis

Principle of development

Policy MN7 of the adopted local plan sets out how the Council will protect the Countryside and will support householder proposals in the countryside which accord with Green Belt policies set out in national planning policy provided that extensions are not disproportionate in size and scale to the original dwelling-house

Paragraph 149 of the NPPF deals with green belt and sets out a list of exceptions where new development is not inappropriate. These include (c) 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 which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt.

The proposal represents an increase in footprint and volume to the existing dwelling, which is not considered to result in disproportionate additions over and above the size of the original building and cause harm to the Green Belt. The figure of a third for appropriately sized additions is slightly exceeded in this case.

Furthermore, the proposal is significantly smaller in footprint and volume than what could be built under permitted development rights (full width larger household extension 8m deep rear extension). This fallback position should be granted significant weight (see *Mansell v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314 and *Formby Parish Council v Sefton Council* Date: 17 January 2022 Ref: [2022] EWHC 73 (Admin)).

Impact upon openness and character of the green belt

The essential characteristics of Green Belts are their openness and their permanence. Whilst there is no definition of openness, it is generally regarded as being free from inappropriate development and the counterpart of urban sprawl. It can comprise spatial and visual aspects.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. One of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment.

When assessing the impact of new development on the Green Belt it is essential to consider the area of land covered by buildings as well as their heights and massing to ensure that they do not have a 'greater impact upon openness' than the existing buildings on the site.

This locality whilst washed over as Green Belt in the Local Plan is thriving mixed use community with commercial and residential uses existing side by side within a tightly defined settlement which has a definitive edge with the adjacent agricultural land, which is open in nature.

Very Special Circumstances

The Council's House Extensions SPD permits extension that equate to a third of the size of the original dwelling. The existing dwelling has not been altered since it was built and therefore retains its full complement of permitted development rights. Since 2013, the Government has pursued a policy of deregulating the planning system and in particular allowing householders' greater autonomy over improvements they can undertake to their property without the need to seek planning permission.

The proposals result in an increase in cubic capacity of 235 cubic metres which equates to an increase of 38% above the current volume of the dwelling which is 615 cubic metres. The increase of a third considered appropriate by the policy for extension in the Green Belt, does not take into account that potentially much larger extensions could be constructed under permitted development rights utilising the Prior Approval process for larger house extensions under Class A or an upward extension under Class AA. This is without including what other additions could be made under other classes such as B, D and E. The increase in volume amounts to 4.7% above the 33.3% threshold considered appropriate and whilst a minor transgression it needs to be seen in the context of the wider scheme for the site.

Having regard to the above and to the fact that this proposal forms part of a larger comprehensive redevelopment proposal for the whole site which will result in increased openness in the Green Belt it is considered that this

relatively minor increase over the 33.3% threshold advocated by planning policy should be viewed in the round and that the benefits the whole scheme delivers should be considered to demonstrate 'very special circumstances' in this particular case.

Character and visual impact

The site is visually well contained, and the proposed development will not be visible from surrounding viewpoints. Furthermore, the proposed development is consistent with the surrounding residential development and will not be out of character. The proposed extension will be of high quality, materials and incorporate details complementary of the existing building.

From a design perspective the development is considered sympathetic to the existing dwelling resulting a modernisation and upgrade of the bungalow. The proposals will also blend in with the proposals to redevelop the area immediately in front of the existing dwelling.

Residential amenity

The proposals will not impact unacceptably upon amenity space available to the occupants of the dwelling, nor will it cause a loss of light or privacy to neighbouring properties. The proposals will also not give rise to any overbearing issues or result in a loss of light or outlook to nearby properties.

Car Parking

The property will have three off street parking space including an integral garage which is 3.6 metres wide internally to serve a for bedroom dwelling. This accords with Council's parking requirements.

7. Conclusions

The proposal will not cause a greater impact on the openness of the Green Belt than extensions which could be constructed utilising permitted development rights. It is therefore considered that the proposal does not constitute inappropriate development.

Having regard to the above, it is considered that the proposed development accords with the policy objectives of the Development Plan and the NPPF, and Planning Permission should therefore be granted for this proposal having regard to the benefits outlined in this statement.

It is important that this proposal is considered in conjunction with the proposals for the redevelopment of the larger site as the schemes are inextricably linked to one another, so should be considered as one rather than separately. Clearly, as one is for four new dwellings and this is for the extension of the existing dwelling it has been necessary to submit two separate applications.

The applicant through the submission of the pre-application enquiry sought guidance from the LPA in terms of what might be acceptable in terms of the site as a whole for residential development along with potential quantum. The applicant has indicated a willingness to work constructively with the LPA to reach a satisfactory outcome for all parties.

The NPPF at paragraph 149(g) states that the redevelopment of Previously Developed Land in the Green Belt is permissible where it does not have a greater impact on the openness of the Green Belt than the existing development on site.

The redevelopment of the site for residential development has the potential to concentrate development to the front of the site, thus removing existing the development from the rear of the site. This rationalisation of development presents the opportunity to create a greater degree of openness on the site thus contributing towards the objectives of the Green Belt.

Arrochar, 14 Prescott Road, Melling – Calculations

Existing Development on Site

Existing Bungalow	124sqm
Garage to Front	55sqm
Storage Container	32sqm
Shed structure	18sqm
Outbuilding 1	112sqm
Outbuilding 2	330sqm
Total Existing Structures	671sqm

Development that could be undertaken under PD Rights

PD – Larger House Extension	119sqm
PD – Class AA upward Extension	124sqm
PD – Side Extension	34sqm
PD - Porch	3sqm
PD - Outbuildings	50% of curtilage
Potential Additions under PD Rights	280sqm

Existing Development + Permitted Development Total = 951sqm

EXISTING & PROPOSED VOLUME

EXISTING BUNGALOW :-

Building – $14.900 \times 8.350 \times 2.800 = 348.36$ cubic metres

Roof - $14.900 \times 8.350 \times 4.300 = 534.98 - 50\% = 267.49$ cubic metres

Total of 615.85 cubic metres.

PROPOSED SIDE EXTENSION :-

Building – $4.000 \times 8.350 \times 2.800 = 93.5$ cubic metres

Roof – $4.000 \times 8.350 \times 4.300 = 143.6 - 50\% = 71.81$ cubic metres

Total of 165.31 cubic metres

PROPOSED FRONT OUTRIGGER :-

Building – $6.250 \times 1.200 \times 5.100 = 38.25$ cubic metres

Roof – $6.250 \times 5.300 \times 2.000 = 66.25 - 50\% = 33.1 - 50\% = 16.5$ cubic metres

Total of 54.75 cubic metres

PROPOSED ROOF DORMERS X 6 :-

$2.200 \times 2.000 \times 2.300 = 10.1 - 50\% = 5.0 - 50\% = 2.53$ cubic metres

Total x 6 = 15.18 cubic metres

TOTAL CUBIC METRES ADDITION OF 235.24 (38%)

Site Photographs



Photo 1 – Rear of detached garage



Photo 2 – Side Elevation of Garage



Photo 3 – Front elevation of Garage



Photo 4 – Existing hardstanding area and water feature to front of site



Photo 5 – Existing bungalow front elevation



Photo 6 – Track at side of existing bungalow



Photo 7 – Side and rear elevation of existing bungalow



Photo 8 – Side elevation to existing bungalow