

Appeal Decision

Site visit made on 2 March 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2017

Appeal Ref: APP/R0660/D/17/3166475

Cherry Trees, 2 Knutsford Road, Chelford, Macclesfield, SK11 9AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Hobbs against the decision of Cheshire East Council.
 - The application Ref: 16/4678M was refused by notice dated 31 October 2016.
 - The development proposed is: small ground floor extension with first floor extension over this and an existing single storey extension built in 1964.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:
 - whether the development would be inappropriate for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - the effect on the purposes of the Green Belt and its openness;
 - if the development is inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to constitute the very special circumstances sufficient to justifying allowing the appeal.

Reasons

3. Cherry Trees is a two-storey semi-detached property located in the open countryside. It is built in brick with timber framing. It has been extended by the addition of a single storey flat-roofed garden room and there is a double garage within the modest grounds. The adjoining dwelling of No.1 Knutsford Road, has been previously extended. Opposite this pair of semi-detached dwellings is Chelford Village Hall and car park. The Green Belt in this area is characterised by agricultural fields with vegetation along their boundaries.
4. The Council considers that the design of the extensions would reflect the existing faux Tudor style of the building and would use a similar materials palette. I see no reason to disagree. There would also be no harm to the living conditions of neighbours from the proposal in terms of loss of privacy, outlook or overshadowing.

Whether inappropriate development in the Green Belt

5. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework. The 'original building' is as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally.
6. The national policy advice in the Framework has to be read together with the relevant development plan which in this case includes the Macclesfield Borough Local Plan 2004. Saved Local Plan policy GC1 restricts the construction of new buildings in the Green Belt, but as an exception allows limited extension or alteration of existing properties subject to Local plan policy GC12.
7. Local plan policy GC12 indicates that alterations and extensions to existing houses in the countryside may be granted for up to 30% of the original floor space providing the scale and appearance of the house is not significantly altered. Exceptions to the policy may be permitted where:
 1. the proposal lies in a group of houses or ribbon of development and the extension would not be prominent;
 2. the extension is to provide basic amenities or an additional bedroom or living room in a small cottage, and
 3. the extension is to provide a conservatory or domestic building in the curtilage and the proposal would not adversely affect the character and appearance of the countryside.
8. The appeal building is part of a semi-detached dwelling. The neighbouring semi-detached dwellings comprise No.3 Knutsford Road (Tollbar Cottage) and No.4 Knutsford Road (The Cottage). The only other development in the immediate vicinity is the village hall. In view of the limited amount of development, I consider that Cherry Trees does not form part of a group of houses or ribbon of development. The dwelling is not a small cottage and already has basic amenities and two bedrooms.
9. The Council has calculated that the extension permitted in 1964 added approximately 33% to the floor space of the original building. Cumulatively that extension and the proposed extension would result in an increase in floor space of around 70% when compared to the original building. The appellant disputes this figure, advises that the rear porch would be removed, and contends that the increase would be around 54%. This would still represent an increase greater than 30%. I accept that the Framework introduces a degree of flexibility around the restriction of up to a 30% increase in floor space contained in Local Plan policy GC12. However, the extension would significantly alter the scale and appearance of the dwelling when viewed from Knutsford Road because of the degree of projection of the proposed extension and increase in bulk at first floor level.

10. I consider that the proposal would result in disproportionate additions to the building and would constitute inappropriate development in the Green Belt. As already noted, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on the purposes of the Green Belt and its openness

11. The Framework indicates that the essential characteristics of Green Belts are their permanence and openness. The proposal would reduce the open character of the Green Belt by adding significantly to the massing of the dwelling at first floor level and increasing the prominence of the building in the countryside when seen from Knutsford Road. Overall, the proposal would alter the scale of the existing building and would have a detrimental effect on the openness of the Green Belt. Any harmful effect on the purposes of the Green Belt from the proposal would only be limited.

Whether very special circumstances exist

12. The Framework advises that, when considering any planning application, 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, is clearly outweighed by other considerations.
13. The appellant has not specifically referred to "very special circumstances". However, he advises that the proposal would enhance the existing flat roofed extension by providing a pitched roof and open log store to the front. In his view the property is not prominent, set back from the road and some distance from neighbours. He contends that its styling and location on the plot would not seem to adversely affect the character and appearance of the countryside.
14. The appellant has referred to other extensions that have been built at No.1 Knutsford Road, Toll Bar Cottage and at Hinton House and Kinross, Peover Lane. Although the appellant believes that the extensions have resulted in exceeding the 30% guideline, the circumstances of each case would have been different and not directly comparable with the appeal proposal. I have determined this appeal based upon the individual merits of the proposal having regard to its particular site circumstances, relevant development plan policies and all other material considerations.
15. The matters raised by the appellant are acknowledged. However, as found above, the proposal would represent a disproportionate addition over and above the size of the original building and would constitute inappropriate development in the Green Belt. The harm from the proposal in respect of inappropriateness, harm to the openness and purposes of the Green Belt clearly outweigh the matters put forward by the appellant as favouring the proposal. Very special circumstances do not exist which would justify allowing the proposal and it would conflict with the Framework and Local Plan policy GC1.

Conclusion

16. I have taken all other matters raised into account, including the lack of representations from neighbours or Chelford Parish Council and the difficulties expressed by the appellant in extending at the rear of the house under

permitted development rights. However, for the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR