



Appeal Decision

Site visit made on 20 January 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor (Non-practising)

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2020

Appeal Ref: APP/R0660/D/19/3239639

The Stables, Newcastle Road, Smallwood, CW11 2GB

- 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 Jonathan Flower against the decision of Cheshire East Borough Council.
 - The application Ref 19/3210C, dated 4 July 2019, was refused by notice dated 3 September 2019.
 - The development proposed is a single storey rear extension to the rear elevation to create additional living space.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appeal site lies within the Green Belt. However, it is agreed between the parties that the proposal would not represent inappropriate development in the Green Belt. I have no reason to conclude otherwise.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the building and the surrounding area.

Reasons for the Recommendation

5. The appeal site comprises The Stables, a former barn that has been converted into a two storey residential property with a simple rectangular shape. It forms part of a group of agricultural buildings now used as dwellings and outbuildings in a courtyard on Newcastle Road. The majority of the other buildings, although of varying scale, mirror the simple rectangular shape of The Stables. The exception to this is the original farmhouse, situated beside the appeal property. It has a distinctive shape unique to the courtyard which differentiates it and its former use from the other buildings present. Overall the courtyard is characterised by its current residential use but there remains a coherence in the character of the properties such that the original

agricultural nature of the area is evident. Consequently, the group of buildings form an attractive complex on account of the design, layout and form of the various structures, including the converted property at the appeal site.

6. The proposed development relates to a single storey extension. This would be present on the rear elevation but due to the layout of the property would project into the courtyard, facing the front elevation of the buildings opposite.
7. Whilst matching materials would be used, the proposal would not respect the current character or form of the existing property. The addition of the extension would alter the simple rectangular shape of the building which is reminiscent of its original barn use such that it would no longer retain an obvious agricultural appearance. The installation of bi-folding doors would also significantly increase the amount of glazing present on the building, representing a notably modern addition and detracting from the more traditional character of the property. Additionally, the roof of the extension would have a shallower pitch than both the dwelling and adjoining garage, further distinguishing the proposal from the remainder of the property. Overall, the proposal would therefore not have due regard to the style and appearance of the existing dwelling.
8. Although there would be no views of the proposal from Newcastle Road, it would be highly visible within the courtyard where it would have a dominant visual impact which would erode the cohesive character of the former barn buildings present. While the appellant has pointed to the L shape of the neighbouring original farmhouse as evidence that the proposal would not appear as an alien feature, the dominant style within this group of buildings remains a simple, rectangular shape. It is this style that the appeal property currently reflects and that the proposal would not respect when experienced alongside the other buildings present.
9. The extension would represent the first visible addition of its kind within the courtyard as there is no evidence of previous extensions to the front elevation of the buildings opposite, which form a simple linear row. The sense of coherence that exists between the appeal property and the other rectangular buildings would be lost and the proposal would therefore appear as an incongruous feature when viewed from within the courtyard. Its addition would upset the current settlement pattern and would not contribute positively to the surrounding area's character or identity, failing to reinforce the local distinctiveness in terms of its relationship to nearby properties and the streetscene.
10. For all of those reasons I find that the development would have a significantly adverse visual effect on the character and appearance of the host building and the surrounding area. Accordingly, it would fail to comply with Policies SD2 and SE1 of the Cheshire East Local Plan Strategy 2010 – 2030, adopted July 2017; H16 of the Congleton Borough Local Plan, adopted January 2005; and the Congleton Borough Council Supplementary Planning Document No. 7 Rural Development, July 2008.

Other considerations

11. The appellant has pointed out that there are a number of barns across the country and in proximity to the appeal site that have an L shape. However, no information on the precise nature or location of these barns have been

provided, nor their comparability to the proposed development. In any event, the appeal is decided on its own site-specific circumstances and the rectangular form of the barns in this instance is a defining characteristic of the converted farmstead. Consequently, reference to other development nearby does not outweigh the harm identified above.

12. The appellant has also stated that the proposal would be permissible as permitted development had permitted development rights not been removed in this location. However, the fact remains that these rights have been removed and there is therefore no realistic possibility of the scheme coming forward under permitted development rights. It is common for permitted development rights to be removed in relation to converted agricultural buildings in order to retain their original character. No weight can therefore be attached to this fallback position.
13. The personal circumstances of the appellant are also acknowledged, whereby the existing dwelling does not provide adequate amenity space. However, personal circumstances will seldom outweigh more general planning considerations and the matters raised in this instance do not attract sufficient weight in planning terms to override the harm that would arise.
14. Similarly, the appellant's frustrations with regards to the lack of communication from the Council are also acknowledged. However, this does not affect my considerations of the planning merits of this case.

Conclusion and Recommendation

15. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

C Preston

INSPECTOR