



Appeal Decision

Site visit made on 3 February 2020

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/R0660/D/19/3241206

Crown Farm, Frog Lane, Pickmere WA16 0LL

- 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 Chris Davis against the decision of Cheshire East Council.
 - The application Ref 19/4261M, dated 11 September 2019, was refused by notice dated 6 November 2019.
 - The development proposed is erection of glazed link.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal property is located in the Green Belt; therefore, the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host property and its surroundings; and
 - 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 amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. Policy PG3 of the Cheshire East Local Plan Strategy (2017) (CELPS) states that the construction of new buildings is inappropriate in the Green Belt, subject to a number of exceptions. Exception 'iii' allows for 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. This reflects exception c) of paragraph 145 of the Framework.

4. The appeal property is an extended¹ two-storey detached house. The proposal would add a single-storey link extension between the house and the existing outbuilding. The Council's undisputed evidence in the delegated report advises that the proposal would represent a cumulative increase of around 96.5% of the floor space of the original house.
5. Neither the Framework, nor CELPS Policy PG3 define what a disproportionate addition is. Instead, my attention is drawn to saved Policy GC12 of the Macclesfield Borough Local Plan (2004) (MLP), which is still extant. This Policy states 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 '30% rule' may include where the proposal lies in a group of houses; the extension is a conservatory; and, the proposal would not adversely affect the character and appearance of the countryside.
6. The appellant states that despite the cumulative enlargements, the proposal meets the above-mentioned exceptions of MLP Policy GC12 and is therefore not inappropriate development in the Green Belt. However, I note that MLP Policy GC12 only refers to the countryside generally, not specifically to the Green Belt. The text below the policy suggests that it will be applied differently in the Green Belt and states that a proposal "will" be considered to be disproportionate if the development would result in an increase of more than 30% of the original dwelling, without any reference to the exceptions. In any event, to have regard to the exceptions of MLP Policy GC12 within the Green Belt would be contrary to the Framework, as paragraph 145 c) does not contain any such exceptions.
7. Therefore, on the basis of the evidence before me, I conclude that the proposal would, together with the size of previous enlargements, amount to a disproportionate addition over and above the size of the original building, contrary to CELPS Policy PG3 and the Framework. Accordingly, the proposal is inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness

8. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. CELPS Policy PG3 reflects this.
9. The appeal property, along with other nearby scattered dwellings along Frog Lane, lies within open countryside and has a rural character. The outbuilding is part of a larger building that stands clearly separate from the main house.
10. The extension would link these two buildings together with a resultant loss of space between them. I appreciate that the extension would be single-storey and mainly glass, but it would have a solid roof with a raised lantern and a large amount of aluminium frame, which would all add mass. The glass itself would reflect light and internal lighting would be visible during the hours of darkness. Despite the roadside boundary treatment and existing buildings, the upper part of the extension would be visible through the gap between the appeal property and the neighbouring property, thereby increasing the level of

¹ LPA ref: 00/1470P & 19/0867M

built development visible on Frog Lane. It would also be visible from the public bridleway, which runs along the south-west boundary of the property, albeit to a reduced degree in the summer months when the hedge would offer more screening. Consequently, there would be a noticeable introduction of built form, which would lead to a small loss of openness in this location.

11. I conclude, on this issue, that there would be a loss of openness in the Green Belt, which would conflict with CELPS Policy PG3 and paragraph 133 of the Framework.

Character and appearance

12. The appeal property has a well-ordered symmetrical arrangement of twin projecting rear gables with a pitched roof conservatory placed centrally between them. The outbuilding is sited further back and is part of a larger standalone pitched roof building, which runs parallel to the main house and the other neighbouring former farm building. The buildings make a positive contribution to the character and appearance of the area.
13. The extension would be constructed in similar materials to the existing conservatory and it would be subordinate in height. Nevertheless, owing to its mostly flat roof form, position, and the angle at which it would project to the outbuilding, the extension would not harmonise with the symmetrical composition of the rear elevation. It would also create an awkward and uncharacteristic junction between the main house and the outbuilding. Therefore, even though the proposal would be a conservatory-type extension, it would differ markedly from the existing conservatory, and for the reasons above, would be a harmful addition to the main house and outbuilding, thereby also diminishing their positive contribution to the character of the area.
14. I conclude, on this issue, that the proposal would cause significant harm to the character and appearance of the host property and its surroundings. This is contrary to CELPS Policy SD2 and MLP Policy DC2, which amongst other things, expect development to contribute positively to an area's character and to respect the existing architectural features of the host building.

Other considerations

15. Additional living accommodation would improve the living conditions of the occupiers. However, this is a private benefit to which I afford limited weight. The absence of harm to the living conditions of neighbouring occupiers is a matter which carries neutral weight in my assessment. No other considerations have been put forward by the appellant.

Green Belt balance

16. The proposal would be inappropriate development in the Green Belt and would also result in a loss of openness which are, by definition, harmful to the Green Belt. The Framework advises that substantial weight is given to any harm to the Green Belt. The development would also result in significant harm to the character and appearance of the host property and its surroundings. As a result, the proposal would cause a clear conflict with the environmental role of sustainable development.

17. The other considerations described above do not clearly outweigh the totality of the harm I have identified. Accordingly, the very special circumstances necessary to outweigh this harm do not exist.

Conclusion

18. For the reasons set out, I conclude that the proposal would be contrary to the relevant identified policies of the development plan, and the Framework, and therefore the appeal should be dismissed.

Adrian Caines

INSPECTOR