



Appeal Decision

Site visit made on 1 March 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2021

Appeal Ref: APP/R0660/D/20/3264384

Tree Tops, Station Road, Styal, SK9 4JP

- 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 Sean McGrath against the decision of Cheshire East Borough Council.
 - The application Ref 20/0849M, dated 14 February 2020, was refused by notice dated 21 October 2020.
 - The development proposed is a rear single and two storey extension with front porch and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for rear single and two storey extension with front porch and internal alterations at Tree Tops, Station Road, Styal, SK9 4JP in accordance with the terms of the application 20/0849M, dated 14 February 2020, subject to these conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan drawing no. 14,198/OS Amendment A; Proposed Plans and Elevations drawing no. 14,198/02 Amendment E; Existing and Proposed Block Plans drawing no. 14,198/03 Amendment A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

Background and Main Issue

3. The appeal site is within the Green Belt. The National Planning Policy Framework (the Framework) identifies that new buildings within the Green Belt will be inappropriate, save for a number of exceptions, including paragraph 145(c) which relates to the extension or alteration of buildings. Inappropriate development is, by definition, harmful to the Green Belt and
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should not be approved unless very special circumstances exist to justify a proposal.

4. In this case, no such circumstances are put forward and as such the main issue in dispute is whether the proposal would be inappropriate development for the purposes of development plan policy and the National Planning Policy Framework.

Reasons for the Recommendation

5. The appeal property is a detached two-storey dwelling in the middle of a group of five dwellings in a ribbon development along Station Road. The site falls within the Green Belt, and the group of dwellings are surrounded on three sides by a golf course.
6. The National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building. This is provided that the extension does not result in a disproportionate addition over and above the size of the original building. The Framework defines 'original building' as 'a building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally.' It does not however define 'disproportionate'.
7. Policies PG3 of the Cheshire East Local Plan Strategy (July 2017) (CELPs) and GC1 of the Macclesfield Borough Local Plan (January 2004) (MBLP) are consistent with the Framework in that they seek to protect the Green Belt but allow limited extensions to existing dwellings. Policy GC12 of the MBLP states that alterations and extensions to existing houses in the countryside may be granted for up to 30% providing the scale and appearance of the house is not significantly altered. The policy further states that an exception to this threshold may be permitted where the proposal lies within a group of houses or ribbon development where the extension would not be prominent and would not adversely affect the character and appearance of the countryside.
8. Given the absence of a definition within the Framework, or the former PPG2, it is/was common for guidelines and policies to be set within Local Plans to reflect local circumstances. Such local criteria will often specify volumetric limits but may also set out site specific circumstances where exceptions may apply. There is nothing inherently inconsistent with the Framework in applying a slightly different method of assessing properties within areas that have already been developed to a substantial degree, as compared to more open areas of countryside.
9. From the information provided, there has been no significant change in national policy with respect of what constitutes a 'disproportionate' addition since policy GC12 was adopted and the current Framework broadly follows the former PPG2 in that respect. Notwithstanding the age of the MBLP, I am satisfied that the criteria within policy GC12 remain broadly consistent with the Framework and mark a reasonable method of determining whether an extension would be 'disproportionate'.
10. The dwelling has been extended previously and the Council has calculated that the previous side extension and the proposed extensions combined

would be an increase of 86% of the floorspace of the original dwelling. The appellant has not disputed those figures. This would substantially exceed the 30% threshold set out in Policy GC12.

11. However, the property is in a group of dwellings in a ribbon of development along Station Road. The proposal includes an enlarged front gable feature and a replacement front porch, which would be in keeping with the scale of the existing property and neighbouring dwellings. The scale of the extensions would result in a property of comparable size to three of the four other dwellings in the group including both immediately adjacent properties and the extension would not appear prominent as a result. The rear of the property is well screened and the rear extensions would have very limited visibility from a public viewpoint or from the golf course. Consequently, the enlarged dwelling would not appear any more prominent than the neighbouring properties and would not substantively increase the visible scale of the host property. Nor would it have any adverse effect on the character and appearance of the countryside.
12. Consequently, I conclude that the proposal would meet the exception in Policy GC12 for extensions to dwellings in a group or in a ribbon development. I recognise that it is necessary to consider the cumulative impact of previous extensions and there may reach a point where further expansion will be disproportionate on account of overall scale, even accounting for the exception of policy GC12. However, I am satisfied that the proposals represent a modest addition which, even taken in the context of previous extensions, would not unduly increase the prominence of the dwelling or its outward impact on the Green Belt.
13. In view of the above, I find that the proposal would not represent a disproportionate addition and therefore would not be inappropriate development within the Green Belt. For these reasons, the proposal would satisfy Paragraph 145 of the Framework, Policy PG3 of the CELPS and Policies GC1 and GC12 of the MBLP.

Openness of the Green Belt and other considerations

14. Given my conclusion that the proposal would not be inappropriate development in the Green Belt, it is not necessary for me to go onto consider the proposal's effect on the openness of the Green Belt. The Council was satisfied that the impact on the living conditions of neighbouring residents would be acceptable and I see no reason to take a different view having regard to the scale of the proposal and degree of separation from the adjacent dwellings.

Conditions

15. I recommend the standard time limit condition and a condition specifying the approved plans to provide certainty and in the interests of proper planning.
16. In the interests of the character and appearance of the area, it is necessary for a condition requiring the external materials of the extensions to match the exterior materials of the existing dwelling.
17. The Council suggests a condition requiring the first-floor side windows to be obscure glazed, to protect the living conditions of the neighbouring properties. However, the proposed first-floor side windows would serve a

bathroom and two en-suites, which typically have obscure-glazed windows to provide privacy for the users of these rooms. As such, in this instance, I am satisfied that it is not necessary to apply a condition requiring the windows to be obscure-glazed.

Conclusion and recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed and planning permission granted subject to the conditions listed above.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed and planning permission is granted subject to the conditions above.

Chris Preston

INSPECTOR