



Appeal Decision

Site Visit made on 20 July 2021

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2021

Appeal Ref: APP/R0660/D/21/3277062

11 Trouthall Lane, Plumley, Knutsford, WA16 0UN

- 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 Mike Manley against the decision of Cheshire East Council.
- The application Ref 20/3502M, dated 10 August 2020, was refused by notice dated 6 April 2021.
- The development proposed is the installation of an open fronted car port and log store.

Decision

1. The appeal is allowed and planning permission is granted for the installation of an open fronted car port and log store, at 11 Trouthall Lane, Plumley, Knutsford, WA16 0UN in accordance with the terms of the application, Ref 20/3502M, dated 10 August 2020, subject to the following 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: Site Location Plan; and Proposal Plan Drawing No. MM/11/01.
 - 3) The materials to be used in the construction of the development hereby permitted shall accord with those specified on the application form.
 - 4) No site clearance, preparatory work or development shall take place until the protection works detailed on Drawing No MM/11/01 are in place. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the area designated as being fenced off or otherwise protected on Drawing No MM/11/01. The protective fencing shall be retained intact for the full duration of the development hereby permitted and shall not be removed or repositioned without the prior written approval of the local planning authority.

Procedural Matter

2. A revised *National Planning Policy Framework* (the Framework) was published in July 2021. Apart from the paragraph numbering, the section on Green Belts, which is the section most relevant to this appeal, has not changed. I have determined the appeal on the basis of the national and local policies as adopted at the present time.

Main Issues

3. The main issues in the appeal are:

- Whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the Framework;
- The effect of the proposal on the openness of the Green Belt; and
- If the proposal is inappropriate development, 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 it.

Reasons

4. The appeal property is located within the North Cheshire Green Belt as defined by the *Cheshire East Local Plan Strategy (adopted July 2017)* (CELPs). Policy PG3 of the CELPS indicates that the construction of new buildings in the Green Belt is inappropriate unless it is for one of a limited number of exceptions. These include 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 accords with paragraph 149 c) of the Framework.
5. What constitutes a disproportionate addition is not defined in either the CELPS or the Framework. However, Saved Policy GC12 of the *Macclesfield Borough Local Plan (adopted January 2004)* (MBLP) states that alterations and extensions to houses in the Green Belt and open countryside will be considered disproportionate if they result in an increase of more than 30% of the original floorspace. However, a number of exceptions to the policy are given. These include: where the proposal lies in a group of houses or ribbon of development and the extension would not be prominent; and the extension is to provide a conservatory or domestic building in the curtilage and the proposal would not affect the character and appearance of the countryside.
6. The appeal property has had a previous extension which the appellant has stated represented a 31% increase on the size of the original dwelling. Nevertheless, the property forms part of a row of houses within the village of Plumley and the proposal is for a domestic outbuilding in the curtilage. Therefore, consideration has to be given to whether it would be prominent and also its effect on the character and appearance of the countryside.
7. The host property is a detached dwelling, which like the adjacent dwellings is set in a generous plot. The houses are all set back a similar distance from the road, with good sized front gardens. However, the mature vegetation in these front gardens means there is only limited views of the houses within the street scene, and the building line they create is not perceivable on the ground. Housing on the other side of the road is more sporadic, but as the properties opposite the appeal site are closer to the road, they are more visible.
8. The proposed timber carport and log store would be located to the front of the dwelling. Whilst the height of the structure means it would be higher than the boundary hedge at the property, the height of the vegetation between No 11 and its neighbouring properties and along other front boundaries means that views of the proposed outbuilding would be extremely limited.

9. The sense of enclosure and privacy to the front gardens in the row mean that, although the car port would be located in front of the building line, this would not be noticeable and so would not appear out of keeping, especially as the property opposite is positioned close to the road. As such, I consider it would not be a prominent feature in the street scene, nor would it have a detrimental impact on the character and appearance of the area.
10. The mature vegetation and the sporadic housing on the other side of the road, gives Trouthall Lane a rural feel. Nonetheless it is clearly part of the village, and the proposed structure would be located some distance to the open countryside beyond the village. As a result, I am satisfied the proposal would not have any adverse impact on the character and appearance of the countryside.
11. Therefore, I consider that the proposal would accord with Policy GC12 of the MBLP and would not be a disproportionate addition to the property. Consequently, I conclude the proposal would not be inappropriate development and there would be no conflict with Policy PG3 of the CELPs or the Framework.
12. In the light of this conclusion, as the effect of development on openness is not expressly stated as a determinative factor in gauging inappropriateness for proposals that fall under paragraph 149 c) of the Framework, there is no requirement for me to separately assess the impact of the development on the openness of the Green Belt.

Conclusion and Conditions

13. For the reasons set out above I conclude the appeal should be allowed.
14. As well as the standard implementation conditions, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the proposal and to ensure adequate tree protection measures are in place before and during the development. The latter needs to be a pre-commencement condition as it is essential that protection for the tree is in place before any works commence. In accordance with Section 100ZA of the Town and Country Planning Act 1990, the appellant has provided written agreement to the pre-commencement condition.

Alison Partington

INSPECTOR