



Appeal Decision

Site visit made on 13 December 2021

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th January 2022

Appeal Ref: APP/R0660/D/21/3277354

Lavender Farm, Gorse Lane, Astbury, CW12 3NR

- 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 D Coughlan against the decision of Cheshire East Council.
 - The application Ref 21/1435C, dated 11 March 2021, was refused by notice dated 6 May 2021.
 - The development proposed is a rear dormer extension to the house.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer extension to the house at Lavender Farm, Gorse Lane, CW12 3NR in accordance with the terms of the application, Ref 21/1435C, dated 11 March 2021, 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: Location Plan Drawing No. 14-250 7; Existing Floor Plan Drawing No. 14-250 1; Existing Cross Section Drawing No. 14-250 2; Existing Elevation Drawing No. 14-250 3; Proposed Floor Plan Drawing No. 14-250 4; Proposed Cross Section Drawing No. 14-250 5; and Proposed Elevation Drawing No. 14-250 6.
 - 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.

Applications for costs

2. An application for costs was made by Mr D Coughlan against Cheshire East Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues in the appeal are:
 - Whether or not the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (the Framework);
 - The effect of the proposal on the openness of the Green Belt and the purposes of including land within it;

- The effect of the proposal on the character and appearance of the host building and the surrounding area; 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

Whether inappropriate development

4. The appeal site is located in the Green Belt as defined by Policy PG3 of the *Cheshire East Local Plan Strategy 2010 – 2030 (adopted July 2017)* (CELPS). This policy indicates that development within the Green Belt will only be permitted if it meets one of a limited number of criteria. 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. Similar advice is provided in paragraph 149 c) of the Framework.
5. Policy H16 of the *Congleton Borough Local Plan First Review (adopted January 2005)* (LP) provides guidance on extensions to dwellings in the countryside and Green Belt. The supporting text to this indicates that “modest” extensions normally comprise around a 30% increase in the volume of the original building.
6. The original building has previously been extended. The appellant has indicated that these extensions have resulted in a 10% increase in floorspace. The proposed dormer window would not add any floorspace but would increase the volume by approximately 3.3 cubic metres. These figures have not been disputed by the Council. Although I do not know the volume of the existing single storey extension and porch, from what I observed I am satisfied that when taken cumulatively with these the proposed dormer would not result in a disproportionate addition to the original building.
7. Therefore, the proposal would not be inappropriate development in the Green Belt. Consequently, it would not conflict with Policies PG3 of the CELPS and H16 of the LP outlined above or the Framework.
8. 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.

Character and appearance

9. The existing dwelling is a two storey brick built building with a single storey extension on one gable end and a porch on the other. Apart from these additions on the gables, the building has a simple rectangular form and a pitch roof. It has a regular pattern of fenestration, and other than a brick soldier course above the ground floor windows has no architectural detailing.
10. The building is relatively modern, and I understand was originally an agricultural building built to process the lavender grown on the surrounding land. However, the building does not appear to have been a typical modern

agricultural building which generally comprise of large portal frame buildings, with Yorkshire boarding and blockwork walls and at least one significant opening. This presumably reflects the fact that processing the lavender was more of akin to an industrial process rather than a traditional agricultural activity.

11. Moreover, the regular pattern and the size of the windows, and the lack of a significant solid to void ratio or ventilation openings, means the building does not display any characteristics of traditional stone or brick built farm buildings either. In addition, unlike many agricultural buildings it stands alone, rather than forming part of a cluster of buildings.
12. To ensure the retention of their character, dormers would often be considered inappropriate on agricultural buildings that have been converted to dwellings. However, in this case, as the building demonstrates so little agricultural character, the proposed dormer would not detract from, or negatively impact on, the character of the host building.
13. The long rectangular form of the proposed dormer would reflect the rectangular form of the building and its relatively small size means it would not be an overly dominant feature on the roof plane. Furthermore, the proposed materials would reflect those currently on the roof.
14. The surrounding area is largely agricultural with scattered houses along the various roads. The design of these houses is varied but a number contain dormers on either their front or rear elevations. Given this, the proposed dormer would not be an incongruous or alien feature in the locality. Moreover, located on the rear of the building there would be little visibility of it from Gorse Lane. Whilst views of the rear of the property are possible across the fields from Watery Lane, the dormer would not be a dominant feature in these long range views.
15. Consequently, I consider the proposed dormer would not unacceptably harm the character and appearance of the host property or the surrounding area. Therefore, it would accord with Policies SD2 and SE1 of the CELPS, which amongst other things, requires that developments contribute to and enhance the character and distinctiveness of an area. Nor would it conflict with the advice in *Supplementary Planning Document 7 - Rural Development (adopted July 2008)* that extensions should be in proportion to the original building, and should not have a detrimental effect on the character of the original building and its surroundings.

Conclusion and Conditions

16. For the reasons set out above I conclude the appeal should be allowed.
17. As well as the standard implementation condition, 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.

Alison Partington

INSPECTOR