



Appeal Decision

Site visit made on 1 February 2022

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2022

Appeal Ref: APP/R0660/D/21/3282441

The Hayloft, 77 Bexton Road, Knutsford WA16 0DY

- 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 James Cox against the decision of Cheshire East Council.
 - The application Ref 20/5375M, dated 1 December 2020, was refused by notice dated 11 August 2021.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is in the Green Belt. The parties are in agreement that the proposed extension would not be a disproportionate addition to the building, complying with floor area increases in saved Policy GC12 (Green Belt – Alterations and Extensions to Houses) of the Macclesfield Borough Local Plan (MBLP). Hence the proposed extension falls within the exception set out in paragraph 149c) of the National Planning Policy Framework (the 'Framework') and is not inappropriate development in the Green Belt. Having regard to the evidence before me I see no reason to take a different view. As the proposal would not amount to inappropriate development there is no need for me to consider the impact on the 'openness' of the Green Belt or whether very special circumstances exist.
3. Therefore, the main issues are:
 - The effect of the proposed development on the character and appearance of the area, and
 - The effect of the proposal on the living conditions of existing occupiers of the adjoining property with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site comprises a residential dwelling that forms part of an 'L' shaped former barn complex that has been converted into residential use. The appeal property is the end one of four dwellings in a simple single-storey linear range of brick and tile buildings with accommodation in the roof. The property has a detached single garage and a rear garden backing onto fields with simple timber ranch-style fencing, similar to the other converted dwellings on this side of the complex.

5. The site and barn complex are located on the corner of Bexton Road and Blackhill Drive, but on the undeveloped side with fields adjoining. As such the appeal property and adjoining converted residential barn complex read more as part of the countryside rather than as part of the suburban edge of Knutsford.
6. The proposal is for the erection of a single-storey rear extension to provide a ground floor master bedroom with en suite and dressing area. The extension is broadly triangular in form. It would extend about 9 metres across the rear elevation, but the angled side would be longer. It would project some 6 metres out from the rear elevation presenting a solid brick wall along the shared boundary with the adjacent residential property. Although the extension would be set down into the existing sunken patio, the height of the extension and brick wall along the shared boundary would be approximately 3.1 metres high. The roof would be flat with a number of rooflights and finished with planted Sedum to aid water attenuation and improve its appearance when viewed from the first floor. Most of the rear and short end of the extension would be full height glazing. The remaining parts would be standing seam zinc cladding.
7. The contemporary design is clean-lined and relatively simple. However, the triangular form of the extension, together with its size, bulk and siting would alter the long simple elevation overlooking open fields and be at odds with the prevailing traditional linear form of the wider building complex. I saw no other extensions on the adjacent units.
8. Due to its height and extending more than half the length of the rear elevation, the extension would completely obscure the diamond shaped brick vents, removing a traditional detail of the local vernacular agricultural brick barns. Furthermore, the materials, in particular the zinc cladding, are out of keeping with the traditional brick barns and use of timber windows.
9. Overall, the size and shape of the extension would disrupt the simplicity and linear form of the former agricultural building and result in a visually incongruous addition to it. It would harm the remaining agricultural character and appearance of the building, the complex which it forms part of and the wider area in which it sits.
10. I saw on my visit that the extension would not be seen from the public realm or the Public Right of Way, but this does not reduce the harm that would be caused. Whilst the submitted historic plan extract shows the barn may well have had some kind of structure or extension in the approximate location of the proposed extension, it was not triangular. It is unclear if the 'historic extension' was still in place at the time the barns were converted. I find any claims of historical precedent have little relevance, particularly when I have found the proposed extension causes harm.
11. Accordingly the proposed extension would be contrary to Policies SE1 and SD2 of the Cheshire East Local Plan Strategy (the CELP), MBLP saved Policy DC2 and Policies D1, D2 and H3 of the Knutsford Neighbourhood Plan. Collectively these policies seek to ensure development positively contributes to its surroundings, is of appropriate scale and design and extensions remain subservient and in rural areas particular regard is had to the local vernacular.

Living conditions

12. The erection of a 3.1m high wall for a length of 6 metres along the shared boundary would represent a substantial amount of built development in very close proximity to the nearest habitable room and outside patio area. This would create an oppressive sense of enclosure that would have an unneighbourly and overbearing effect that would create an unsatisfactory outlook for the neighbouring occupiers. Matching brickwork and sculptural detailing to the wall would do little to mitigate against this effect.
13. From looking at the plans and what I observed on site, the extension would appear to breach the '45-degree code', which is a common guideline often used by local planning authorities to determine the impact of a development proposal on sunlight and daylight to the neighbouring properties. Due to the height and length of the wall in such close proximity to the glazed door of the nearest habitable room there would be some reduction in light.
14. From my observations on site and orientation of the property to the path of the sun the extension would cause overshadowing of parts of the neighbour's garden and particularly the habitable room and patio area immediately adjacent to the proposed extension. The appellant's submitted solar study conclude there would be limited impediment to sunlight for the majority of the day, but the illustrative images in the Design and Access Statement show more clearly the potential extent of overshadowing, particularly later in the day. Compounded by the loss of outlook, I find there would be an unsatisfactory reduction in light and to the amenity that occupiers currently enjoy. The fact the proposed extension would be set down at the level of the existing patio does not lessen the impact as the neighbouring patio is also sunken down to the same level.
15. I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of the neighbouring property with regards to outlook and light. Accordingly, the proposed development would be contrary to MBLP saved Policy DC3, which seeks to ensure that development does not injure the amenities of adjoining residential properties due to, amongst other things, overbearing effect and loss of sunlight and daylight.

Conclusion

16. The proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. For the reasons given above I conclude that the appeal should be dismissed.

K Stephens
INSPECTOR