



Appeal Decision

Site visit made on 23 February 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2022

Appeal Ref: APP/R0660/D/22/3290321

The Coach House, 1 Flash Lane, Bollington SK10 5AQ

- 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 Mrs Esther Williams against the decision of Cheshire East Council.
 - The application Ref 21/2977M, dated 28 May 2021, was refused by notice dated 21 December 2021.
 - The development proposed is ground floor and first floor extensions and alterations.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Esther Williams against Cheshire East Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt; and
 - If found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and if so, whether this amounts to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal property is a two-storey detached dwellinghouse sited within mature grounds. It is located within the settlement of Bollington, adjacent to a group of dwellings.
5. Policy PG 3 of the Cheshire East Local Plan, Local Plan Strategy 2010-2030 (July 2017) (the CELPS) states that the construction of new buildings is inappropriate in the Green Belt, with one exception being 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 policy is

consistent with the exception at paragraph 149 c) of the National Planning Policy Framework (the Framework).

6. Neither the CELPS nor the Framework define what a disproportionate addition means. However, saved Policy GC12 of the Macclesfield Borough Local Plan (January 2004) (the MBLP) concerns alterations and extensions to houses in the countryside and notes that up to 30% increase of the original floor space may be granted providing the scale and appearance of the house is not significantly altered. This policy goes on to note exceptions to this threshold may be permitted where the proposal lies in a group of houses or ribbon of development and the extension would not be prominent. It is common ground that the appeal property is sited within a group of houses. Given the mature setting of the appeal site and boundary features, the proposal would not appear prominent from public vantage points.
7. MBLP Policy GC12 provides a useful method of determining whether an extension would be disproportionate. Whilst it includes a further assessment which is not within the Framework, I consider that the policy is not inherently inconsistent with the Framework. However, just because the proposal may fall within one of the exceptions of Policy GC12, and even though the policy does not include an upper size limit, this does not reasonably mean that floorspace is automatically discounted and that there is an unrestricted upper limit to the size of the proposed extension. To misconstrue the policy in such a way would go beyond its overall intention and that of national policy in seeking to ensure extensions are not disproportionate to the original building.
8. In order to ascertain whether the proposal would be a disproportionate addition, it is necessary to understand what constitutes 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. The appeal building appears to have been the former coach house to the adjacent dwelling and the evidence before me indicates that it pre-dates 1 July 1948. Over time it has been converted and extended to provide residential accommodation however these alterations were after 1948. It is therefore clear to me that the original building is the former coach house, which had a significantly limited floorspace.
9. The proposal would demonstrably increase the floorspace of the original building, far in excess of the 30% threshold of MBLP Policy GC12. The existing extensions to the host property are subservient and allow the original building to be read and understood. To the contrary, the proposed extensions would dominate and engulf the original building to the extent that its original form, scale and mass would no longer be perceptible. The two storey elements would be of the same height as the dwelling and the projecting gable, along with the single storey extension, would project well into the garden area. Collectively, they would result in a large property with a significant footprint and massing that does not relate to the modest size of the former coach house. By virtue of these factors, and notwithstanding the exception of MBLP Policy GC12, the proposed extensions would undoubtedly be disproportionate to the original property.
10. I have been provided with other Inspector's decisions which relate to this matter. As I have only been provided with the decisions I cannot make a fully reasoned comparison between the developments those decisions were

concerned with and the appeal proposal before me. Furthermore, I have clearly set out my interpretation of MBLP Policy GC12 and its relationship with the Framework.

11. However, my attention has been drawn to numerous decisions made by the Council where the approved developments appear to exceed the 30% threshold of MBLP Policy GC12. I have also been provided with the corresponding officer reports and plans. In some examples however, the developments relate to outbuildings and thus are not directly comparable to the appeal proposal. For others, the Council has not identified the degree of exceedance over the threshold within their report, thus I cannot make a comparison in this regard.
12. Whilst in many examples the exceedance beyond the threshold is limited, I nevertheless acknowledge that there are numerous examples which were considerably over the threshold and where the Council went on to determine that they were not disproportionate extensions. In arriving at this conclusion, it seems to me that in each example the Council not only made an assessment on the quantitative effects of the development but also the overall effect on the original building, taking into consideration factors such as its character, scale and massing. This seems to be an appropriate assessment, which I have followed above and have found that the proposal would result in a disproportionate addition. As such, the examples do not serve to justify the appeal proposal.
13. Taking all the above into consideration, the proposal would result in a disproportionate addition and would therefore constitute inappropriate development in the Green Belt.

Effect upon openness of the Green Belt

14. Paragraph 137 of the Framework advises that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When applying the concept of openness to the particular facts of a case, a number of factors are capable of being relevant. For the purposes of this appeal, I have considered both the visual and spatial aspects of openness.
15. As noted, the proposal would considerably increase the floorspace, footprint and volume of the original building. Its bulkier presence would be read in context with the existing property and it would not be overly prominent in visual terms. However, in spatial terms, a substantial part of the extension would introduce development over an area which is currently undeveloped, thus increasing the overall bulk of development present within the site. Consequently, the proposal would result in harm to the openness of the Green Belt, in that it would be reduced.

Other considerations

16. The Framework advises that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
17. I have not been provided with any considerations that may weigh in favour of the proposal.

Whether very special circumstances exist

18. The proposal would constitute inappropriate development in the Green Belt and would cause harm to its openness, to which substantial weight is given. No considerations in support of the proposal have been advanced. Therefore, the very special circumstances necessary to justify the development do not exist. As such, the proposal would fail to accord with Policy PG 3 of the CELP, saved policy GC12 of the MBLP and the Framework.

Other Matters

19. The appeal site is within the Bollington Cross Conservation Area (the CA) and is adjacent to a Grade II listed property known as Barley Grange (the LB). The Council consider that the proposal would preserve the character or appearance of the CA and the setting of the LB. Taking into consideration the siting of the appeal dwelling and the design of the proposal I have no reason to disagree. These are neutral matters.

Conclusion

20. The proposal would be contrary to the development plan taken as a whole and there are no material considerations, including the Framework, which indicate that the decision should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

H Ellison

INSPECTOR