



Appeal Decision

Site visit made on 14 October 2022

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2022

Appeal Ref: APP/R0660/D/22/3301701

The Nook, Chelford Road, Macclesfield SK10 3LH

- 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 C Oldfield against the decision of Cheshire East Council.
 - The application Ref 22/0160M, dated 14 January 2022, was refused by notice dated 18 May 2022.
 - The development proposed is described as: 'demolition of outbuilding and garage, single storey rear extension, front porch and alterations'.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of outbuilding and garage, single storey rear extension, front porch and alterations at The Nook, Chelford Road, Macclesfield SK10 3LH in accordance with the terms of the application, Ref 22/0160M, dated 14 January 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development must be begun not later than the expiry of three years beginning with the date of this permission.
 - 2) The development hereby approved shall be fully implemented in accordance with the approved plans and specifications, which are referenced as follows: C483 1 (Location Plan); C483 4R2 (Proposed Plans and Elevations) and C483 5R1 (Proposed Site Plan).
 - 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.

Background and Main Issue

2. The Council confirm in its Officer Report that the proposed development would not result in a detrimental impact upon the character of the surrounding area. Therefore, the main issue of this appeal is whether the development would be inappropriate development in the Green Belt, with particular regard to the single storey rear extension.

Reasons

3. Policy PG3 of the Cheshire East Local Plan Strategy (adopted July 2017) (CELPS) states that the construction of new buildings in the Green Belt is inappropriate unless it is for one of a limited number of exceptions. This includes 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 National Planning Policy Framework (the Framework).

4. A disproportionate addition is not defined in either the Framework or CELPS Policy PG3. However, saved Policy GC12 of the Macclesfield Borough Local Plan (adopted January 2004) (MBLP) states that alterations or extensions to existing houses in the countryside may be granted for up to 30% of the original floor space providing the scale and appearance of the house is not significantly altered. An exception to this policy is where the proposal lies in a group of houses or ribbon of development and the extension would not be prominent.
5. It is common ground between the parties that the site is located within a group of houses / ribbon development and that the increase in floorspace from the proposed development when compared to the original dwelling would be 44%. Consequently, in this instance an extension could exceed an increase of 30% to the original floor space, providing that it would not be prominent. Whilst the Council raise concerns at the projection of the proposed single storey rear extension into the rear garden, it acknowledges that the proposed development would not be visible from Chelford Road and due to a varied street scene, would not appear out of character. In any event, I do not consider that the scheme would have an adverse effect on the character and appearance of the host property or surrounding area.
6. My attention has been drawn to an extant prior approval scheme (PD scheme) which could enable a rear extension with a similar projection to be erected. This has not been disputed by the Council. Whilst the Council has indicated that the proposed development would be bulkier than the PD scheme, it is only the size of the projection on the appeal scheme that it has issue with. Furthermore, during my visit, I noted that some of the other properties in the row project further into their respective rear gardens than the scheme before me. Thus, in both circumstances, these factors are in favour of the proposed development.
7. For the reasons given above, the site is located within a group of houses / ribbon development where the proposed development would not be located in a prominent position. Consequently, in this instance, the scheme would not amount to a disproportionate addition over and above the size of the original building. Therefore, I find no conflict with CELPS Policy PG3, MBLP Policy GC12 and the requirements of the Framework.
8. As I have not found that Green Belt harm would arise in this case, it is not necessary to consider the effect of the proposed development on Green Belt openness. Additionally, the demonstration of very special circumstances is not required to make the proposed development acceptable.

Conditions

9. In addition to the standard implementation condition, I have imposed a condition specifying the relevant plans for certainty. In the interests of the character and appearance of the area a condition is required to control the external appearance of the extension.

Conclusion

10. For the above reasons, I conclude that the appeal should be allowed.

W Johnson

INSPECTOR