



Appeal Decision

Site visit made on 28 June 2022 by Darren Ellis MPlan

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th November 2022

Appeal Ref: APP/R0660/D/22/3294865

Acresfield, Carr Lane, Alderley Edge SK9 7SL

- 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 J Hyland against the decision of Cheshire East Borough Council.
 - The application Ref 21/4468M, dated 20 August 2021, was refused by notice dated 1 March 2022.
 - The development proposed is described as 'demolition of existing garage, utility, lounge extension and outbuilding. Construction of new side and rear part one and part two storey extension.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

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 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 for the Recommendation

4. The National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building. This is provided that the extension does not result in a disproportionate addition over and above the size of the original building. The Framework defines 'original building' as 'a building as it existed on 1 July 1948, or, if constructed after 1
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July 1948, as it was built originally.’ It does not however define ‘disproportionate’.

5. Policies PG3 of the Cheshire East Local Plan Strategy (July 2017) (CELPs) is consistent with the Framework in that it seeks to protect the Green Belt but allows limited extensions to existing dwellings. Policy GC12 of the Macclesfield Borough Local Plan (January 2004) (MBLP) states that alterations and extensions to existing houses in the countryside may be granted for up to 30% providing the scale and appearance of the house is not significantly altered. The policy further states that an exception to this threshold may be permitted where the proposal lies within a group of houses or ribbon development where the extension would not be prominent.
6. Given the absence of a definition within the Framework, it is common for guidelines and policies to be set within Local Plans to reflect local circumstances. Such local criteria will often specify volumetric or floorspace limits but may also set out site specific circumstances where exceptions may apply. Therefore, and notwithstanding the age of the MBLP, I am satisfied that the criteria within Policy GC12 remain broadly consistent with the Framework and mark a reasonable method to assist in making a judgement as to whether an extension would be ‘disproportionate’.
7. The main parties agree that the removal of the existing extensions and the construction of a new part two and part single storey extension would result in an increase of 46% of the floorspace of the original dwelling. This would significantly exceed the 30% threshold set out in Policy GC12.
8. While the proposed two-storey side extension has been designed to be subservient to the main dwelling, it would nevertheless add considerable bulk and massing and would be highly visible from public vantage points. As such, the two-storey side extension would significantly increase the prominence of the dwelling, failing to meet the exception for extensions to houses in the countryside.
9. My attention has been drawn to a previous appeal at 3 Carr Lane, where a first floor extension above an existing garage was allowed¹. In that case the Inspector concluded that there would be no harm to the Green Belt as the footprint of the building would be unchanged. This is not the case in the appeal before me. This appeal does not therefore change my findings in regard to the appeal scheme’s inappropriateness.
10. Consequently, given the bulk and massing of the proposed extension and as the proposal would significantly exceed the 30% threshold, the proposal would represent a disproportionate addition and therefore would be inappropriate development within the Green Belt. For these reasons, the proposal would conflict with Paragraph 149 of the Framework, Policy PG3 of the CELPS and Policy GC12 of the MBLP. Together, these policies seek to protect the Green Belt from harmful development.

Openness of the Green Belt

11. Openness is an essential characteristic of the Green Belt. The Planning Practice Guidance states that openness is capable of having both spatial and visual aspects, so that both the visual impact of the proposal and its volume may be

¹ Appeal ref. APP/C0630/A/04/1138662

relevant.² Whilst the existing built development would create something of a backdrop to the proposal and planting may reduce its obviousness, the overall scale, bulk and mass of the extension would still result in harm to the visual and spatial aspects of the Green Belt's openness, unavoidably reducing it. This harm would be as well that caused by the proposal's inappropriateness.

Other Considerations

12. The existing dwelling is of a simple design, and the current single-storey extension is finished in brick to match the main dwelling. The submitted drawings show the current extension as having a flat roof, however at the time of my site visit the extension had a pitched roof that is in keeping with the existing dwelling, although the roof of the extension was missing the tiles. The Council do not object to the design of the appeal scheme, and I have no reason to disagree, but this would be a lack of harm and thus a neutral consideration.
13. I understand that Certificates of Lawful Development have recently been issued for separate single-storey and two-storey rear extensions, and that these extensions would increase the floorspace of the property by more than the appeal proposal. While these extensions would have a greater spatial impact than the appeal proposal, owing to their position mostly behind the existing building, they would have a considerably smaller visual effect on the Green Belt's openness than the appeal proposal. In addition, a scheme for permitted development, should it be considered as such, does not fall to be assessed in regard to its Green Belt effects as is the case with the appeal proposal. In any case, and for the above reasons, the permitted development extensions would not cause any greater harm to the Green Belt than the appeal proposal.

Whether Very Special Circumstances Exist

14. The proposed extension would cause harm to the Green Belt by way of inappropriateness and in reducing its openness, to which I afford substantial weight as per paragraph 148 of the Framework. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. The other considerations identified above would have a neutral effect and consequently do not clearly outweigh the totality of the harm. The very special circumstances necessary to justify the proposal do not therefore exist.

Conclusion and Recommendation

15. There are no material considerations worthy of sufficient weight which would indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I recommend that the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

² Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and I agree with the recommendation that the appeal should be dismissed.

John Morrison

INSPECTOR