



Appeal Decision

Site visit made on 4 April 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 May 2023

Appeal Ref: APP/R0660/D/22/3312707

Oak Cottage, Chapel Road, Wilmslow SK9 2BX

- 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 Adeline Bibby against the decision of Cheshire East Council.
 - The application Ref 22/0062M, dated 7 January 2022, was refused by notice dated 20 September 2022.
 - The development proposed is ground and first floor rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. From other appeals I am determining elsewhere I am aware that the policies from the Saved Macclesfield Borough Local Plan (MBLP) referred to by the Council in its decision notice have been superseded by policies from the Cheshire East Local Plan Site Allocations and Development Policies Document (2022) (SADPD) which has been adopted since the appeal was submitted. In this regard, my decision must be based on the most directly relevant current development plan policies. I have sought comments from both parties in relation to this change and the appellant has provided further comments as well as copies of suggested relevant policies in the SADPD. I have considered this appeal taking into account the changes and the comments made.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the development on the character and appearance of the 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 the development.

Reasons

4. The appeal property is a detached dwelling of traditional design and construction, faced in red brick with a slate covered roof. The appeal proposal is for a ground floor and first floor extension to the rear which incorporates an existing single storey rear addition and conservatory. Whilst the extension would have a lower ridge height than the main building and the main body of the extension would be in line with the existing rear gable, an additional two storey gable would be added to the elevation facing Dean Row Road and a brick single storey garden room with an extended screen wall would replace the conservatory.

Whether inappropriate development in the Green Belt

5. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in Paragraph 149. Under Paragraph 149 c), the extension or alteration of a building is allowed provided that it does not result in disproportionate additions over and above the size of the original building. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) and SADPD Policy RUR 11 largely reflect the Framework in this regard.
6. Whilst the Framework does not provide a definition of 'disproportionate additions', SADPD Policy RUR 11 states that matters including height, bulk, form, siting and design should be taken into account, with particular attention to increases in overall building height. Proposals usually considered to be disproportionate additions would increase the size of the original building by 30% in the Green Belt. Exceptions to these size thresholds include proposals within a village infill boundary, providing additional floorspace with no significant alterations to the building's envelope or external appearance, to provide basic amenities/sanitation or a small-scale domestic outbuilding within a residential curtilage.
7. Both parties are largely in agreement that the original dwelling floor space is in the region of 150m². However, even taking the appellant's lower estimated increase in floorspace of 47% over the existing dwelling, the appeal proposal would substantially exceed the 30% size threshold.
8. Whilst the proposed extension would not increase the overall building height or significantly change the footprint, the incorporation of an additional first floor element and new roadside-facing gable would add substantially to its bulk and form, resulting in significant changes to the building's envelope and external appearance. In my view, therefore, the proposal would not comply with the criteria for considering disproportionate additions in SADPD Policy RUR 11 or the exception to the size threshold relating to the building's envelope and external appearance. I also have no evidence that it would comply with any of the other exceptions in this policy.
9. The appellant contends that the proposal would not be of disproportionate size in comparison to some of its neighbours and it forms part of a group of houses which were identical when originally built. Furthermore, it is maintained that the site is well screened by mature landscaping, the extension cannot be viewed from the principal elevation, and if the existing conservatory is discounted then the proposal would accord with the 30% threshold. However, none of these factors are relevant under the assessment of inappropriate

development in the Green Belt. Under SADPD Policy RUR 11 there is also a requirement to consider the impact on the character of the existing building and rural area, a matter considered later in this decision.

10. For these reasons, the appeal proposal would be a disproportionate addition and therefore inappropriate development in the Green Belt. It would conflict with CELPS Policy PG3 and SADPD Policy RUR 11 and the Framework. Inappropriate development is, by definition, harmful to the Green Belt and the Framework directs that substantial weight should be given to this harm.

Effect on openness of the Green Belt

11. The Framework advises that openness is an essential characteristic of Green Belt policy and has a spatial as well as visual dimension. The appeal property is clearly visible from the adjacent highway and the openness of the Green Belt is evident around the property and the wider area.
12. The existing single storey additions which would be affected by the appeal proposal are subservient building forms which have a limited impact on openness. Although the built footprint would only be slightly extended, the appeal proposal would be of single and 2 storeys of solid construction, with an increased visual prominence from Dean Row Road. It would also spatially increase the form, volume and massing of the existing building and in doing so would result in a harmful loss of openness.

Character and appearance

13. SADPD Policy RUR 11 also requires that proposals respect the character and appearance of the existing building, particularly where it is of traditional construction and appearance, and would not harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion. SADPD Policy HOU 11 and CELPS Policy SE1 have similar design requirements.
14. The appeal property is an attractive traditional dwelling which forms part of a cluster of similar period properties in an open rural area characterised by fields, mature hedgerows and tree groups. Existing extensions have respected the building's scale, form and materials, including stepping down the ridge height and discrete siting to the rear, partly screened by mature vegetation, and an outbuilding along Dean Row Road conceals further views of the lower parts of the extensions.
15. The appeal proposal seeks to introduce a bold two-storey rear extension of contemporary design comprising an upper floor clad in a larch rainscreen with undivided metal windows, and a visually dominant brick single storey garden room with an extended screen wall, replacing the conservatory. The bulky first floor addition, although stepped down in height, would not respect the form and character of the existing building, introducing a prominent and competing gable to the roadside elevation with uncharacteristically sited windows. Furthermore, the timber cladding would introduce an incongruous finish detracting from the cohesive identity of the existing brick building. Although the extension would be located to the rear, the first floor and the most contrasting element of the addition would be prominently viewed from Dean Row Road and would also be seen from Chapel Road should the existing vegetation be thinned. Even if more complimentary materials were secured by condition, the overall design and form of the proposal would remain

unacceptable. It would erode the traditional character of the original dwelling and therefore harm the contribution that the building makes to the character of the surrounding area.

16. The appeal proposal would have a harmful effect on the character and appearance of the building and the surrounding area and would conflict with CELPS Policies SE1 and SD2 and SADPD Policies RUR 11 and HOU11. It would also not meet the high-quality design expectations of Section 12 of the Framework.

Other considerations and very special circumstances

17. Very special circumstances would need to exist to justify granting permission for the development because it would constitute inappropriate development in the Green Belt and harm the openness. The appellant wishes to extend the dwelling rather than to move reflecting national policy seeking a more sustainable form of development. This factor attracts a limited degree of weight in favour of the proposal. It would also enhance the living conditions of the occupants, but this is a private benefit and attracts little weight.
18. Taken as a whole, I find that the other considerations in this case do not clearly outweigh the significant harm that I have identified. In concluding, therefore, the harm by reason of inappropriateness, and any other harm, would not be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal. The proposal would be inappropriate development in the terms set out by CELPS Policy PG3 and SADPD Policy RUR 11 and the Framework and would also result in a loss of openness to the Green Belt. The Framework requires that substantial weight should be given to any harm.

Other Matters

19. For the avoidance of doubt, even if I had considered the proposal under MBLP Policy GC12 I would still have found the proposal contrary to this policy. Whilst the property could be considered to form part of a group of houses, in my view, as I have explained above, the extension would be prominent due to its siting, design and materials and would therefore harm the character of the building and its rural setting.

Conclusion

20. For the reasons set out above, having regard to the development plan as a whole and all other relevant material considerations, including the Framework, the appeal is dismissed.

G Bayliss

INSPECTOR