



Appeal Decision

Site visit made on 9 August 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2023

Appeal Ref: APP/R0660/D/23/3318583

Edge View, Wilmslow Road, Newton, Cheshire East SK10 4LQ

- 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 & Mrs A Bradshaw against the decision of Cheshire East Council.
 - The application Ref 22/2172M, dated 24 May 2022, was refused by notice dated 1 February 2023.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at Edge View, Wilmslow Road, Newtown, SK10 4LQ in accordance with the terms of the application, Ref 22/2172M, dated 24 May 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan drawing 22016_P01, amended site plan drawing 22016_P10A, amended ground floor plan drawing 22016_P11B, amended first floor plan drawing 22016_P12B and amended elevations drawing 22016_P14A.
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match the existing dwelling.

Preliminary Matters

2. The description of development in the banner heading above is taken from the Council's decision notice. From the evidence before me the appellants have agreed to the amended description following the submission of revised plans. I have therefore used the amended description of development in assessing the proposal.

Main Issue

3. The main issue is whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework 2023 and any relevant development plan policies.

Reasons

4. The National Planning Policy Framework (the Framework) explains that the Government attaches great importance to Green Belts. The 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.

5. The construction of new buildings within the Green Belt is inappropriate development according to Paragraph 149 of the Framework, subject to certain exceptions. The exception at Paragraph 149 c) allows for 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.
6. Policy PG3 of the Cheshire East Local Plan Strategy, 2017 (LP) reflects the Framework, resisting extensions or alterations that are disproportionate additions over and above the original building and, in this regard, PG3 is consistent with the Framework and is given full weight. However, neither the Framework nor PG3 define 'disproportionate additions'.
7. Policy RUR11 of the Cheshire East Site Allocations and Development Policies Document, 2022 (SADPD) provides further guidance on assessing proposals for extensions and alterations to buildings in the Green Belt and outside of settlement boundaries. Criterion 3 advises that proposals would usually be considered as disproportionate additions where they increase the size of the original building by more than 30% in the Green Belt and section 4 of the policy defines the original building¹. The policy states that the increase in size will usually be determined by assessing the net increase in floorspace.
8. By providing a more detailed definition of disproportionate additions, and an indicative threshold, Policy RUR11 of the SADPD differs from the Framework. However, in my judgement, Policy RUR11 follows the broad approach of the Framework and adds a locally specific definition to assist the decision maker. I have therefore afforded full weight to Policy RUR11 of the SADPD in making my decision.
9. The appeal site falls within land defined as Green Belt. It comprises a semi-detached dwelling which sits within a small row of houses between the adjoining neighbouring dwelling and a separate pair of semi-detached houses. The appeal proposal is for a single-storey extension on the rear of the dwelling, continuing the existing single-storey section to the full width of the property and, on its own, the extension would be small.
10. However, the property has been extended previously and already exceeded the 30% floorspace threshold. As such any further additions, including the appeal proposal, would increase the original dwelling by more than 30%. Any further extensions would, when considered against the 30% threshold, be disproportionate additions according to criterion 3 of Policy RUR11. Notwithstanding the appellants' assertions, the current proposal, albeit small-scale in comparison to the existing dwelling, is not de minimis in terms of its increase in floorspace alone.
11. However, criterion 3 of Policy RUR11 has three exceptions. The extension is not required to provide basic amenities or sanitation. All of the basic amenities are already present at the property and the proposal would extend the existing facilities rather than provide them. The proposal is not within a village infill boundary and is not for a small-scale domestic outbuilding.

¹ Original building means as it was originally built, or as it existed on 1 July 1948.

12. Subsection ii) of criterion 3 provides an exception to the 30% threshold where the proposal provides additional floorspace with no significant alterations to the building's envelope or external appearance. The example given within the policy is a basement extension.
13. The proposed extension would be to the rear of the property and would complete the existing single-storey extension to the full width of the dwelling. The proposal would not project beyond the rear or side elevation of the existing property. The proposal, in itself, would be very modest in terms of its height, bulk, form, siting and design. Although it would alter the building's envelope and appearance greater than a basement it would not do so to a significant degree.
14. The exception within Policy RUR11 does not require the extension to be of no greater impact than a basement. The exception allows for additional floorspace where the result is not a significant alteration. Given the height, bulk, form, siting, and design of the proposal I find that the extension would not result in a significant alteration to the building's envelope or external appearance and, therefore, the proposal would comply with the exception in subsection 3 ii) of Policy RUR11 of the SADPD.
15. In considering paragraph 149 c) of the Framework, when taken cumulatively with the previous extensions, the proposed extension would result in additional floorspace. Nevertheless, the height, bulk, form and massing, and therefore the volume and external dimensions of the total extensions, would not result in disproportionate additions over and above the size of the original building. The proposal would therefore meet the exception set out at paragraph 149 c) and would, therefore, not be inappropriate development according to the Framework.
16. For the same reasons the proposal would not result in a disproportionate addition over and above the original dwelling and, as such, it complies with the exception in Policy PG3 of the LP.
17. I therefore find that the proposal would not be inappropriate development in the Green Belt according to the provisions of Policy RUR11 of the SADPD which attracts full weight as set out above. Further compliance exists with Policy PG3 of the LP.

Conditions

18. A condition specifying the time limit and approved plans is necessary as this provides certainty. I have also imposed a condition specifying that the external surfaces shall be constructed in materials to match the existing dwelling in order to ensure that the extension is of an appropriate finish and relates well to the existing development.

Conclusion

19. There are no material considerations that indicate that the application should be determined other than in accordance with the development plan, of which the relevant policies attract full weight. For the reasons given above, I therefore conclude that the appeal should be allowed.

K Townend INSPECTOR