



Appeal Decision

Site visit made on 17 October 2023

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2023

Appeal Ref: APP/R0660/D/23/3327018

The Coves, Carr Lane, Alderley Edge, Cheshire 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 Mr & Mrs Bates against the decision of Cheshire East Council.
 - The application Ref 23/0368M, dated 27 January 2023, was refused by notice dated 26 May 2023.
 - The development proposed is demolition of two existing detached garages, demolition of existing single-storey extension, demolition of existing conservatory, and erection of part two-storey and part single-storey side extension, erection of a two-storey front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal 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

3. The appeal property is a detached dwelling set back from Carr Lane, and has two vehicular access points, with a garage at the end of each access driveway. The appeal proposals would see the removal of the two detached garages, a side conservatory and single storey extension. In return it would see the erection of a single / two storey side extension with a protruding front single storey element.

Whether inappropriate development

4. The Framework explains that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl. The essential characteristics of Green Belts are their openness and permanence.
5. Paragraph 149 of the Framework states that construction of new buildings within the Green Belt is inappropriate development, subject to certain exceptions. One of those exceptions at Paragraph 149 c) allows for extension or alteration of a building provided it does not result in disproportionate addition over and above the size of the building.
6. In this respect, policy PG3 of the Cheshire East Local Plan Strategy (2017) (the LP) is consistent with the Framework and can be attributed full weight. However, one caveat is that neither that policy nor the Framework define a "disproportionate addition".
7. There is further guidance regarding Green Belt proposals with regard to extensions set out in policy RUR11 of the Cheshire East Site Allocations and Development Policies Document (2022) (the DPD). Criterion 3 advises that disproportionate additions would be increasing the size of original building by more than 30%, usually determined by the increase in net floorspace.
8. In providing a definition of disproportionate additions, this differs from Policy PG3 or the Framework. Yet it still follows the broad principle of the Framework, with a specific definition for the LPA in question and as such can still be awarded full weight.
9. It appears to be common ground between the parties that the property has already been extended in excess of the 30% threshold, and the proposal would see an increase in the overall net floorspace.
10. Whilst the proposal would not increase the overall building height or significantly change the overall floorspace after the demolitions are complete, the nature of the proposed extension would add substantially to its bulk, materially affecting the buildings envelope and external appearance.
11. In my view, therefore, the proposal would not comply with the criteria for considering disproportionate additions in DPD Policy RUR11 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. Under 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.
12. For these reasons, the appeal proposal would be a disproportionate addition and therefore inappropriate development in the Green Belt. It would conflict with the LP Policy PG3 and DPD Policy RUR11 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

13. 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 Carr Lane and the openness of the Green Belt is evident around the property and the wider area.
14. The existing additions to be removed 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 Carr Lane. 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

15. DPD Policy RUR11 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. DPD Policy HOU11 and LP Policy SE1 have similar design requirements.
16. The appeal property is an attractive traditional style dwelling, set in a large plot. Existing works to the property have largely respected the nature of the dwelling.
17. The appeal proposal would see the introduction of a single / two storey side extension, which would alter the nature of the property and create a considerable amount of additional mass to a building that, from the evidence in front of me, was originally a modest size in nature, the current proposal would look incongruous and fails to respect the design and proportions of the existing building.
18. The appeal proposal would have a harmful effect on the character and appearance of the building and the surrounding area and would conflict with LP Policies SE1 and SD2 and DPD Policies RUR11 and HOU11. It would also not meet the high-quality design expectations of Section 12 of the Framework.

Other Considerations

19. Very special circumstances would need to exist to justify granting permission for the development because, as identified above, it would constitute inappropriate development in the Green Belt and harm the openness of the same. The appellant wishes to extend the dwelling rather than to move reflecting national policy seeking a more sustainable form of development, as well as removing previous works in favour of this proposal. 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.
20. 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 LP Policy PG3 and DPD Policy RUR11 as well as the Green Belt guidance set out in the Framework. It would also result in a loss of openness to the Green Belt. The Framework requires that substantial weight should be given to any harm.

Conclusion

21. 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.

Paul Cooper

INSPECTOR