



Appeal Decision

Site visit made on 7 November 2023

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2023

Appeal Ref: APP/R0660/D/23/3327116

2 Lower Park Crescent, Poynton, Cheshire SK12 1EF

- 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 Scott Pearn against the decision of Cheshire East Council.
 - The application Ref 23/0362M, dated 26 January 2023, was refused by notice dated 14 July 2023.
 - The development proposed is a front dormer construction with associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt, having regard to the development plan and the National Planning Policy Framework (Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the development on the character and appearance of the host building and the 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

Whether inappropriate development

3. The appeal site is situated in the Green Belt. 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.
4. 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, providing that the extension would not result in disproportionate additions over and above the size of the original building. Policy PG 3 of the Cheshire East Local Plan Strategy 2010—2030 (Local Plan) is broadly consistent with the Framework in this regard. Policy RUR 11 of the Site Allocations and Development Policies Document (SAD Policies Document) sets

out further details in relation to extensions and alterations to buildings in the Green Belt, stating that in considering whether a proposal represents a disproportionate addition, matters including height, bulk, form, siting and design will be taken into account. The policy also sets out that proposals will usually be considered to represent disproportionate additions where they increase the size of the original building by more than 30% in the Green Belt.

5. The appeal property has already been extended, and although the size of the previous additions has not been provided, the Council has stated that these, in combination with the proposal, would result in an increase of over 50% in the size of the original dwelling. This has not been disputed by the appellant, and nor has it been put forward that any of the exceptions to this size threshold, as set out at part 3. of Policy RUR 11 of the SAD Policies Document apply.
6. The dormer would occupy most of the front roof slope of the appeal dwelling. Given its scale and its siting at roof level, I consider that it would result in it being a disproportionate addition over and above the size of the original building.
7. I therefore conclude that the proposed development would be inappropriate development. As such, it would be contrary to Paragraph 147 of the Framework which states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It would also be contrary to Local Plan Policy PG 3 and Policy RUR 11 of the SAD Policies Document, which seek to ensure, amongst other matters, that extensions and alterations to existing buildings do not result in disproportionate additions over and above the size of the original building.

Openness

8. The proposed dormer would involve additional built form and be clearly seen from public vantage points. As such, the change from the existing situation would impact on both the spatial and visual aspects of openness.
9. I therefore conclude that the development would fail to preserve the openness of the Green Belt and it would be contrary to Paragraph 137 of the Framework, and Local Plan Policy PG 3, which seek, amongst other matters, to preserve the openness of the Green Belt.

Character and Appearance

10. The appeal property comprises of a semi-detached dwelling which is situated on the corner of Lower Park Crescent and Woodford Road. It forms part of a group of similar properties are set back from the road behind gardens and parking areas which contain a variety of planting. These characteristics, as well as views over surrounding areas of open land, give the area a verdant, spacious character that is typical of a semi-rural area.
11. The proposal would result in a large box like addition at roof level which would detract from the pitched roof form of the appeal and other surrounding buildings. As such, it would appear as an incongruous, urbanising feature that would be detrimental to the semi-rural character of the area.
12. I therefore conclude that the development would have an unacceptable adverse effect on the character and appearance of the host building and the area. As such, it would conflict with Policies SD 2 and SE 1 of the Local Plan and Policies

RUR 11 and HOU 11 of the SAD Policies Document, which seek, amongst other matters, development that respects the character of the existing building and does not unduly harm the rural character of an area. It would also be contrary to Paragraph 130 of the Framework, which seeks to ensure that development is sympathetic to local character.

Other Considerations

13. Reference has been made to a nearby development in the Green Belt comprising of six dwellings that have front dormers with a flat roof form. Despite the close proximity of this referenced development to the appeal site, it is evident that the width and the overall size of the dormers on each of those respective properties are smaller than the appeal development before me. The circumstances of this nearby development are therefore not comparable to the appeal proposal before me, which I can confirm I have dealt with on its own merits and impacts.
14. The proposed dormer does not have any properties facing it. The lack of harm from overlooking is however a neutral consideration, and not one which weighs in favour of it.
15. The appeal proposal would provide an additional bedroom, enabling multi-generational living and the provision of care to an elderly relative. This would result in a local authority property becoming available. These matters attract moderate positive weight in favour of the proposal.

Conclusion

16. I have found that the appeal development would be inappropriate development, which the Framework clearly sets out is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm, in this case to the character and appearance of the host building and the area, is clearly outweighed by other considerations.
17. I have set out the other considerations and, for the reasons I have given, this leads me to attach moderate weight to them in favour of the scheme.
18. With this in mind, the substantial weight I have given to the Green Belt harm and other harm is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances.
19. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR