



Appeal Decision

Site visit made on 29 July 2024

by K Winnard Solicitor LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 23 August 2024

Appeal Ref: APP/A0665/D/24/3342364

1 Pulford Court, Pulford, Chester CH4 9EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Thomas Davies against the decision of Cheshire West and Chester Council.
 - The application Ref is 23/03376/FUL.
 - The development proposed is a first floor extension above an existing single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt and on the character and appearance of the host dwelling;
 - Whether any harm by reason of inappropriateness, and any other harm, would be outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

3. Pulford is washed over by the Green Belt. The Framework states that the construction of new buildings is inappropriate development within the Green Belt unless the development falls within specified exceptions. These include the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. Local Plan Policy STRAT 9 of the Cheshire West and Chester Local Plan Part One Strategic Policies (LP Pt 1) broadly aligns with the Framework in this regard. Local Plan Policy DM21 of the Cheshire West and Chester Local Plan Part Two Land Allocation and Detailed Policies (LP Pt 2) quantifies matters further by

recommending no more than a 30% increase of the size of the original dwelling.

4. The Framework does not detail what a disproportionate addition means, nor does it specify volumetric or other standards, or that comparisons are to be made with reference to the size and scale of the existing layout and surroundings. Rather, it is an objective test which could include, amongst other things, the floor area, volume and form of the relevant building.
5. 1 Pulford Court (No 1) is a relatively modern suburban end terraced property, which has been previously extended and is situated within a small estate of similar properties of a related architectural style. As the end terraced property, it has a generous side corner plot garden between it and the main road providing a strong visual break between the estate and the main road running through the village.
6. The Council's calculations have not been disputed by the appellant and are that the present proposal together with the previous extension would equate to a 92% volume increase in its size over the original building. Whilst there would be no change to the footprint of the building, the proposed extension would increase the height and bulk of the dwelling resulting in an extension the width of which would be comparable to that of the original building. As such I find that the dwelling would be substantially larger than the original building and the proposal would amount to a disproportionate addition to the dwelling. It would accordingly amount to inappropriate development in the Green Belt and I attach significant weight to the harm it would cause. It would also fail to confirm with Policies STRAT 9 and DM21 of the LP Pt 1 and LP Pt 2.

Openness

7. The essential characteristics of the Green Belt are their openness and permanence. Whilst the proposal would not increase the footprint of the existing dwelling, there would be an increase in the level of built development in this location. As such, the proposal would result in a more prominent dwelling exacerbated by the fact that its width would notably exceed those of the neighbouring terraced properties. However, in the context of a recently small modern suburban estate, the proposal would not conflict with any of the GB purposes listed in the Framework and any adverse effects to the visual and spatial openness of the Green Belt would be limited.

Character and appearance of the host dwelling

8. Pulford Court is a small, relatively modern development consisting of predominantly two rows of terraced dwellings amongst a small number of older more traditional dwellings. The terraced properties are modest and of the same architectural style, which reflects the older buildings found on the estate. The introduction of a large first floor extension comparable with the width of the original dwelling would unbalance the pattern of development within the row of terraced dwellings and would increase the level of built form into the side garden. Notwithstanding that there is substantial landscaping within the side garden where it adjoins the village main road, the proposal would be prominent when viewed from both the front and the rear, where views of No 1 are highly visible from the neighbouring street and an associated parking area.

9. Whilst the proposal would incorporate some features designed to achieve subservience and the plot size is generous, these would not overcome the harmful effect of the development now proposed. Further whilst the roof form would be subservient to the main roof and would reflect the existing design, it would appear contrived when viewed from the rear of Pulford Court and would sit awkwardly at odds with the largely simple and unaltered roof-scape amongst the row of terraced dwellings. Neither would the proposed fenestration in the side elevation, which would be visible from Pulford Court, be reflective of the modest design of the original dwelling.
10. As such there would be an overall discordant effect due to the design of the development which would unacceptably harm the character and appearance of the host dwelling and the area. Therefore, the development would be contrary to Policies DM3 and DM21 of the LP Pt 2. These policies together seek to ensure, amongst other matters, that development is in keeping with the character and appearance of the existing building. In addition, it would also conflict with guidance within the Council's Supplementary Planning Document: House Extensions and Outbuildings which states that side extensions will be supported when they are sufficiently subordinate to the main dwelling.

Other Considerations

11. I note the proposal would be in matching materials. However, this is fundamental in good design and does not represent a notable feature in favour of the scheme. The proposal would provide additional enhanced living accommodation and would be sustainable development in this location. It would also provide additional economic benefits in the form of construction work. However, in the context of a single dwelling, these benefits would be modest and as such I attach limited weight to them.

Other Matters

12. Whilst the appellant refers to other larger developments being allowed within the Green Belt by the Council; I have no details of these before me to be able to make any meaningful comparisons with the current proposal. In any event, I am determining the appeal on its own merits. The appellant has also referred to the handling of the application by the Council; this is not a matter before me, or one which alters my consideration of the merits of the case.
13. I acknowledge too that no objections to the proposal have been received. However, this in itself does not indicate a lack of harm arising from the proposal.

Conclusions

14. The proposal would be inappropriate development within the Green Belt which is by definition harmful to the Green Belt. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
15. The proposed extension would also harm the character and appearance of the host dwelling. The other considerations highlighted provide little support to the proposal. They do not, whether taken individually or cumulatively clearly outweigh the totality of harm I have identified. Therefore, the very special

circumstances necessary to justify the development do not exist. I therefore conclude the appeal should be dismissed.

K Winnard

INSPECTOR