



Appeal Decision

Site visit made on 2 October 2024

by K Winnard Solicitor LL. B Hons

an Inspector appointed by the Secretary of State

Decision date: 25 October 2024

Appeal Ref: APP/R0660/D/24/3349766

Carr House Farm, Mill Lane, Prestbury SK10 4LT

- 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 and Mrs Munro against the decision of Cheshire East Council.
 - The application Ref is 23/2469M.
 - The development is described as the erection of domestic outbuildings, pools, structures and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of domestic outbuildings, pools, structures and associated works at Carr House Farm, Mill Lane, Prestbury SK10 4LT, in accordance with the terms of the application 23/2469M, and the plans submitted with it subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this permission.
 2. The development hereby permitted shall be carried out in accordance with the following plans: Location Plan, Proposed Site Layout PWP P03 Rev00, Spa plan and section 05 Rev B, Sauna, steam and plunge pool 04 Rev D, Pool Plant Room 03 Rev D, Pool spa and sections 02 Rev C, Pool and Spa Plan 01 Rev D, Pergola Design, Pool House 85022.002 V3 and Outbuilding 85033.002 V3.
 3. Within 3 months of this decision details of a soft landscaping scheme shall have been submitted and approved by the Local Planning Authority. These details shall include boundary treatments and an implementation programme. The landscaping works shall be carried out in accordance with the approved details and with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of maintenance.

Procedural Matters

2. The development consists of a number of different elements, the majority of which have already been erected. For the avoidance of doubt, I am determining the appeal on the basis of the plans submitted within the appeal. Whilst the application is retrospective, I have removed the word 'part- retrospective' from the description above as this is not an act of development.

3. The appeal scheme provides for swimming and plunge pools and a fire pit in addition to a number of outbuildings and extension. The former compromise engineering operations and are not inappropriate development within the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with its purposes. No assessment has been made by the Council within its delegated officer report of these parts of the development and no reference is made within the decision notice in respect of any engineering operations. Of those elements of the development considered to be engineering operations, the Council only raises concerns about the effect of the construction of a pergola/arbor structure on the character and appearance of the appeal site and the area. Given this, I will assess the appeal scheme on the basis of the concerns expressed by the Council in my decision.

Main Issues

4. The main issues in the appeal 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 appeal site and area;
- 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

5. Carr House Farm is a substantial detached two storey building linked by a glass extension to a large barn conversion, together forming one dwelling, situate in the open countryside which forms part of 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. Core Policy PG3 of the Cheshire East Local Plan Strategy (CELPs) is consistent with the Framework in this regard.
6. Outbuildings can be considered as an extension to the house even when not physically connected provided that they are used for the purposes of the dwelling house. This is the case in this instance. The Framework does not specify what might be considered a disproportionate addition over and above the size of the original building. Size can be more than a function of floor space and can include amongst other things, the floor area, volume, form and scale of the relevant buildings. Policy RUR11 of the Development Policies Document ¹ (DPD) quantifies matters further by advising that a disproportionate addition would be increasing the size of the original building by more than 30%, usually determined by the increase in net floorspace. In addition, it advises that matters such as height, bulk, form, siting and design will be taken into account when considering whether a proposal represents a disproportionate addition.

¹ Cheshire East Site Allocations and Development Policies Document (2022)

7. From the submitted history, the original building in this instance is the two-storey dwelling together with the barn conversion. This has been extended by the addition of the glass link extension and a garage approved under reference 23/2466M and which is currently in the course of construction. In calculating the numerical increase, although their figures differ, both parties agree that the outdoor kitchen, garden room and pool house (also accommodating sauna/steam rooms) do not exceed the 30% threshold specified in Local Plan Policy RUR11.
8. However, proportionality is more than a numerical assessment. The host dwelling and its gardens are very generously sized. The garden room and pool house are single storey with a height below 4m sited beyond either side of the host dwelling and at opposite ends of the rear garden. They are of a simple design and lightweight appearance. The outdoor kitchen area is an open sided covered area to the side of the barn conversion. It is of a small scale, allows for open views and does not appear overbearing or dominant.
9. I acknowledge the Council's concern that as a whole the scale of the outbuildings and extensions represent excessive additions to the host dwelling. The available external space may have been reduced but the outbuildings and extension do not occupy a significant proportion of the rear garden. Generous gaps remain between the outbuildings and the rear of the house. Their siting at either side of the rear garden, and that of the open kitchen area adjacent to the barn conversion, does not dominate the setting or original form of the host dwelling. Relative to the size and scale of the original building, these outbuildings and side extension appear proportionate as required by Local Plan Policy RUR11.
10. Consequently, in this case and for the factors above, the appeal scheme would not amount to a disproportionate addition over and above the size of the original building. Therefore, I find no conflict with CELPS Policy PG3, DPD Policy RUR11 and the requirements of the Framework.
11. As I have not found that Green Belt harm would arise in this case, it is not necessary to consider the effect of the proposed development on Green Belt openness. Additionally, the demonstration of very special circumstances is not required to make the proposed development acceptable.

Character and Appearance

12. Policy RUR11 requires development to respect the character of the existing building and not to unduly harm the rural character of the countryside by virtue of excessive scale, bulk or visual intrusion. There is a mixed palette of stone, brick and slate on the main dwelling and barn conversion. The outbuildings are of a good timber construction with oak frames and cladding and given the mixed palette appearance of the host dwelling do not unduly harm their surroundings. Nor do I share the Council's concern about the contemporary design of the outdoor kitchen area. Rather the black metal roof and corner posts are seen in the context of the materials used within the barn conversion to which it is attached. As such it does not unduly harm the character and appearance of the area.
13. The high arbors/pergola would be sited amongst soft and hard landscaping within the central part of the rear garden forming a walkway. Whilst the columns would be solid and black in colour, they would nonetheless be open

with no sides or roofing. As a garden structure, they would not be out of keeping in the context of the appeal site and its garden. It is unlikely that they would be readily discernible in any public views given these are likely to be some distance away.

14. The Council refer to an “urbanising effect” within what is a rural area. Whilst the development introduces built form into the rear garden, I am not persuaded that this would necessarily result in a harmful effect. The majority of the development is not visible from the front of the property and in the limited locations at the side and rear where views of the appeal site are available, views are dominated by the two large component parts of the host dwelling. In these views the outbuildings are not seen as separate to the dwelling, nor do they erode the setting of the host dwelling. Rather they appear as domestic outbuildings alongside a large host dwelling, not untypical of many such settings. I note the landscaping proposals for additional landscaping and screening, including the planting of native tree and shrub species. Further, this could be controlled by condition. Therefore, whilst the outbuildings, extension and pergola/arbors increase the density of development on the site, in my view this would not give rise to an unacceptable harm on the character and appearance.
15. Accordingly, the development would comply with CELPS Policies SE1 and SD2, and Policies GEN1 and RUR11 of the Allocations DPD. Together these policies require development to be of a high quality of design and appropriate to the local context and to be in keeping with the scale, character and appearance of their surroundings and the local area and to be subordinate to the existing dwelling.

Conditions

16. As part of the development has not been completed it is necessary to impose a time limit and plans conditions in the interest of certainty. A landscaping condition is required in the interests of visual amenity and to secure a successful planting scheme.

Conclusion

17. The development would not constitute inappropriate development within the Green Belt and would not harm the character and appearance of the appeal site and the area. It would accord with the Development plan and there are no other material considerations to indicate that a decision should be taken other than in accordance with it. Therefore, for the reasons given, I hereby allow the appeal.

K Winnard

INSPECTOR