



Appeal Decision

Site visit made on 17 December 2024

by K Winnard LL.B Solicitor (Hons)

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/R0660/D/24/3348291

Strawberry Field Barn, Brindley Grange Farm, Holmes Chapel Road, Brereton, CW11 1SD

- 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 Peter Bates against the decision of Cheshire East Council.
 - The application Ref is 24/0989C
 - The development proposed is a two storey side extension at Strawberry Field Barn.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In December 2024, the Government published its revised National Planning Policy Framework (the Framework). It replaces the previous version updated and revised in 2023. The Framework represents the Government's up to date planning policies for England and how they should be applied. The circumstances of this appeal are such that it has not been necessary to seek comments from the parties on the revised Framework.
3. An application for costs was made by Mr Peter Bates against Cheshire East Council and this will be the subject of a separate Decision.

Main Issue

4. The main issue in this appeal is the effect of the development on the character and appearance of the host dwelling and the area.

Reasons

5. Strawberry Field Barn is one of a pair of dwellings formed from a barn conversion set back from the road with a substantial garden and courtyard within open countryside. Overall, the original form and agricultural function of the main building is discernible reflecting its historic use and character as a farm outbuilding. The appeal proposal before me is a revised scheme following the refusal of planning permission by the Council on an earlier scheme.¹

¹ 23/3694C

6. Policy RUR11 of the Cheshire East Local Plan Site Allocations and Development Policies Document (SADPD) allows for the extension or alteration of a building where the proposed development would not result in a disproportionate addition over and above the size of the original building. It quantifies this further indicating that proposals will usually be considered to be disproportionate where they increase the size of the original building by more than 50%. The policy defines the original building as the building and outbuilding/structures as it was originally built or as it existed on 1 July 1948 if constructed before this date. In assessing the total floorspace threshold, the Council has not taken into account the floor space of a garage approved under planning permission reference 34015/3 (2003 consent) which allowed for the conversion of the former barn to residential use. This is disputed by the appellant who calculates that the percentage increase as a result of the proposal with the inclusion of the garage floorspace would fall below the threshold of 50%.
7. Case law² indicates that the definition of original building within a local plan policy requires consideration of the original building as it existed on 1 July 1948 or the first building as originally built after this. It is this which falls to be considered and on this basis it is clear that the garage approved under the 2003 consent was not part of the original building, nor did it exist in 1948 and as such should not be included within the assessment of floor space. Accordingly, the 50% threshold would be exceeded in this case.
8. Policy RUR11 further provides that development should respect the character of the existing building particularly where it is of traditional construction or appearance and not unduly harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion. The proposal would introduce a large extension at ground and first floor level at the side of the building. The front elevation would be set back and the ridge height set down from the main roof. The linear form of the building would be continued. These design features are recommended within the Council's Supplementary Planning Document (SPD)³ as features designed to achieve subservience in ensuring that an extension should be subordinate to the host dwelling, albeit not referring specifically to converted agricultural buildings.
9. The SPD acknowledges that large and unsympathetic extensions to existing dwellings can be obtrusive in the open countryside. Further, in the case of barn conversions it indicates that where an extension is considered to be acceptable in principle, it should be as small as possible, noting that such additions are usually expressed as a small outshut or lean-to. I note too the advice from Historic England that extensions should be subordinate in scale and relate to the massing and character of the existing farmstead.
10. In this instance the proposed extension would be sizeable and would add substantially to the bulk of the building at its side and significantly change the building's external appearance. Notwithstanding the step down in height and set back of the front elevation, the proposal would introduce a prominent and competing gable to the side elevation of the building with significant amounts of glazing not typical of its form. Given the mass and bulk of the proposed extension,

² Guildford BC V SSLUHC & Mr C Weeks [2023] EWHC 575 (Admin).

³ Borough of Crewe and Nantwich Local Development Framework Extensions and Householder Development Supplementary Planning Document July 2008

the proposal would result in a development which would not respect the form and character of the original dwelling and which would erode the character of the surrounding area.

11. The agent for the appellant has referred me to an appeal decision in relation to a barn conversion where similar design features were held to ensure subservience to a proposed two storey extension to the host dwelling. However whilst this may suggest that such design features can be acceptable, given the limited details presented to me regarding this scheme, direct parallels are not easily drawn with the proposal before me. Further I have determined this appeal on its own merits and for the reasons stated have found that the development as now proposed would be unacceptable.
12. I have also taken into account and give a modest amount of weight to the benefit for the appellant and his family that would result from the additional habitable accommodation and the constraints afforded by the present layout. I note too that there would be no loss of parking space provision, nor are any concerns expressed in relation to the living conditions of the occupiers of neighbouring properties. However these matters are not matters which outweigh the harm I have identified in relation to the two storey side extension. The appellant highlights that the proposal would be constructed in matching materials, however aspects of good design are fundamental to all development and would not represent a notable benefit.
13. Based on the foregoing the appeal proposal would have a harmful effect on the character and appearance of the building and the surrounding area. As such it would conflict with Policies SD1, SD2 and SE1 of the Cheshire East Local Plan Strategy 2010-2030 (adopted 2017) and Policies GEN1 and RUR11 of the SADPD. Together, amongst other matters, these policies seek to reinforce local character and for development to be in keeping with the character and appearance of their surroundings. It would also conflict with the Framework which requires development to be sympathetic to local context.

Other Matter

14. I note the reference to the Council's handling of the application but this is not a matter before me or one which alters my findings.

Conclusion

15. For the reasons given above, I hereby dismiss the appeal.

K Winnard

INSPECTOR