



Appeal Decision

Site visit made on 3 March 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/R0660/D/24/3351572

Kelsall House Farm, Paddock Hill, Great Warford, Cheshire East WA16 7DJ

- 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 P Hulme against the decision of Cheshire East Council.
 - The application Ref is 24/2245M.
 - The development proposed is demolition of existing single storey side extension and erection of replacement with associated works.
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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.
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless one of the listed exceptions applies. One such exception being the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. This is also reflected in Policy PG3 of the Cheshire East Local Plan Strategy 2010 – 2030 (2017) (CELPS) and Policy RUR11 of the Cheshire East Local Plan: Site Allocations and Development Policies Document (2022) (SADPD).
4. Policy RUR11 states that when considering whether a proposal represents disproportionate additions, matters including height, bulk, form, siting and design will be taken into account. In addition, 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. It goes on to state exceptions to these size thresholds *may be acceptable* (my emphasis) where the proposal ii.

provides additional floorspace with no significant alterations to the building's envelope or external appearance (such as basement extensions).

5. The main parties disagree the extent to which the extension would increase the size of the original building by. Nonetheless, the appellant accepts that the 30% threshold has already been exceeded. The Council set out various calculations which demonstrate that the original building has already been significantly extended even if the conversions, detached garage and store were excluded from the calculations.
6. The appellant has drawn my attention to an approved development in Nether Alderley¹ to demonstrate that an exercise of planning judgement and discretion should be applied in considering the 30% threshold. Whilst this does show how the Council has applied the requirements of Policy RUR11 in other cases, factors such as the extent the dwellings have previously been extended and the extent the extensions increase the size of the dwellings cannot be directly compared.
7. The proposed development would further increase the floorspace and volume of the dwelling which would add to the scale and massing of the already extensively extended dwelling. The building's envelope has been significantly altered from the previous extensions. The proposal would further alter the building's envelope, albeit to a limited degree. Having regard to the increase in volume, floorspace, scale and massing, the proposed development, when taken in combination with significant previous additions, would result in disproportionate additions over and above the size of the original building.
8. Consequently, for the reasons given above, the proposal would not fall under any of the exceptions listed in the Framework or Policy PG3 of the CELPS or Policy RUR11 of the SADPD. The development would therefore be inappropriate development in the Green Belt having regard to chapter 13 of the Framework, Policy PG3 of the CELPS and Policy RUR11 of the SADPD.

Openness

9. Paragraph 142 of the Framework states that 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.
10. The proposal would have a spatial impact because the extension would add to the cumulative bulk, scale and massing of the dwelling and would result in an increase in built development. In terms of visual impact, particularly in winter months, glimpsed views of the extension would be possible from Paddock Hill.
11. Consequently, for the reasons given above, the development would not preserve the openness of the Green Belt, albeit to a very limited degree having regard to its size and siting. As such, the proposal would conflict with the fundamental aim of Green Belt policy, as stated in the Framework, to keep land permanently open.

Other considerations

12. Planning permission was previously granted for a side extension² of the same width to that proposed. However, from the evidence provided, it appears that the overall

¹ 24/1426M

² 18/2821M

size of the approved extension was smaller than that proposed. Thus, I give very limited weight to this consideration.

13. The extension would be more in keeping with the host building than the existing extension. It would also be superior to the existing extension in terms of energy efficiency and standard of construction. Given the scale of the development and the existing extension has a neutral impact on the host building, I give extremely limited weight to these considerations.
14. The scheme would secure a better living environment for the occupants. Nonetheless, personal circumstances rarely outweigh general planning considerations. Having regard to the information provided, there is not an exceptional need for the extension. Thus, I give extremely limited weight to this consideration.

Conclusion

15. I have found that the proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. It would also cause harm to the openness of the Green Belt, albeit that harm would be very limited. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness, and that '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.
16. I give very limited weight to the previously approved side extension. In addition, I give extremely limited weight to the design, energy efficiency, standard of construction and improved living environment considerations. When drawing this together, the other considerations advanced in support of the appeal do not clearly outweigh the totality of the harm that I have found. Consequently, the very special circumstances necessary to justify the development do not exist. I therefore conclude that the scheme would conflict with Policy RUR11 of the SADPD, Policy PG3 of the CELPS and the Framework.
17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal does not succeed.

L Wilson

INSPECTOR