



Appeal Decision

Site visit made on 8 May 2025

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th May 2025

Appeal Ref: APP/R0660/D/24/3356315

Police Cottage, Chester Road, Mere, Cheshire East WA16 0PX

- 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 Hyldon against the decision of Cheshire East Council.
 - The application Ref is 24/1960M.
 - The development proposed is the erection of a front porch and single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front porch at Police Cottage, Chester Road, Mere, Cheshire East WA16 0PX in accordance with the terms of the application, Ref 24/1960M, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with Drawing Nos:
 - ABA-(0-)-DR-A-200;
 - ABA-(0-)-DR-A-203 Rev A;
 - ABA-(2-)-DR-A-200 Rev A;
 - ABA-(2-)-DR-A-201 Rev A;
 - ABA-(2-)-DR-A-300 Rev A;
 - ABA-(2-)-DR-A-301 Rev A;
 - ABA-(2-)-DR-A-600 Rev A;
 - ABA-(2-)-DR-A-800.
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.
 - 4) Prior to commencement of development, a written scheme of archaeological investigation shall be submitted to and approved in writing by the Local Planning Authority.

The work shall be carried out in accordance with the approved scheme.

Prior to the occupation/use of the development hereby approved, an archaeological report shall be submitted to and approved in writing by the Local Planning Authority.

Preliminary Matters

2. The description of development includes a front porch and a single storey side extension. During the course of the planning application's determination, the single storey side extension was omitted although the description has not been amended. However, as the proposal is clearly for the front porch only I have omitted the side extension in the interests of accuracy.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024 and is a material consideration in this appeal. Having considered the revisions to the Framework, as well as the principles of natural justice, together with the nature of the determining issues in this appeal it is clear to me that there are no material changes in the revised Framework relevant to the substance of this appeal. Therefore, I do not consider it necessary, in this instance, to invite any submissions from the parties on the revised Framework.

Main Issues

4. The main issues are: -
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies and its effect on openness; and
 - whether any 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 proposal.

Reasons

5. The appeal site relates to a large detached dwelling that historically was two dwellings but amalgamated as one in 1974. It has also previously been extended and has a detached garage. The house is in a rural location within the Green Belt and accessed from a gated entrance off Chester Road (B5569).
6. The Framework explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It makes it clear that development is considered inappropriate unless it satisfies one of the exceptions cited in paragraphs 154 or 155. Paragraph 154, sub-section c) allows 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 reflected in Local Plan Strategy¹ Policy PG 3.
7. Site Allocations and Development Policies Document (SADPD)² Policy RUR 11 sets a threshold of 30%, anything above this is considered to be disproportionate. In the countryside outside of the Green Belt the threshold is 50%. The house has been extended by about 45% and the proposed porch would add a maximum of 3% to the size of the existing dwelling. This increase in size is based on floorspace. Other than a conservatory to the rear of the house and the detached garage, previous alterations and extensions are not obvious as the house is a cohesive white/cream rendered property. However, in addition to the garage and conservatory, the planning history refers to alterations and extensions approved in

¹ Cheshire East Council – Cheshire East Local Plan Local Plan Strategy 2010 – 2030 July 2017.

² Cheshire East Council – Cheshire East Local Plan Site Allocations and Development Policies Document (SADPD) Adopted December 2022.

1989; the calculations do not indicate the volume increase. I agree with the parties that 'original' should be taken as the dwelling as it existed when the original two dwellings were combined. It is also not disputed that the house has exceeded the 30% threshold.

8. However, although SADPD Policy RUR 11 sets a threshold of 30% for extensions to buildings in the Green Belt, it also takes matters such as height, bulk, form, siting and design into account. In addition, it allows exceptions to this threshold including where additional floorspace is provided with no significant alterations to the building's envelope or external appearance. The proposed porch would amount to about 6.7m² of floorspace and although it would project out from the front elevation, this would not be of a scale that would significantly alter the building's envelope or its external appearance. The cat-slide roof would blend into the existing roof slope and ensure the porch was not unduly prominent or distracting from the overall appearance of the house. Although the numerical figure would be exceeded therefore, I do not consider that the proposal would conflict with the objectives of Policy RUR 11.
9. Consequently, I do not consider that the proposal would be inappropriate development. It would not conflict with the Framework or Local Plan Policy PG 3. As the proposal would not be inappropriate development, there is no need for me to separately consider the issue of openness. There is also no need for me to consider any very special circumstances.

Conditions

10. The Council has suggested conditions which I have considered in the light of the Framework and the Planning Practice Guidance. In addition to the standard time limit condition, a condition requiring the materials to match the existing dwelling is necessary to ensure a satisfactory appearance. It is also necessary to impose a condition requiring the development to be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.
11. A condition is suggested requiring an archaeological investigation. This is because the proposal may impact on below ground remains relating to the suggested route of the Manchester to Chester Roman Road. Although the development is small, I have no evidence to counter this request from the Cheshire Archaeology Planning Advisory Service³ and so a condition requiring an initial investigation would be required and a report outlining any observations identified and recorded would be relevant and necessary.
12. The Parish Council has suggested a condition restricting the hours of construction. However, given the scale of this development and its location, I do not consider a condition necessary.

Conclusion

13. For the reasons given above the appeal should be allowed.

J D Clark

INSPECTOR

³Cheshire Archaeology and Advisory Service are consultees of the Local Planning Authority.