



Appeal Decision

Site visit made on 27 February 2025 by A Khan BSc (Hons) MA MSc

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2025

Appeal Ref: APP/R0660/D/24/3354495

Kirkleyditch Farm, Alderley Road, Mottram St. Andrew, Cheshire East SK10 4QN

- 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 John Nuttall against the decision of Cheshire East Council.
 - The application Ref is 23/2881M.
 - The development proposed is first floor rear extension to form a bedroom and removal of existing bedroom to form an open plan landing.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. A new version of the National Planning Policy Framework (the Framework) was published in December 2024. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues are:
 - i) whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
 - ii) the effect of the proposal on the openness of the Green Belt; and
 - iii) 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 development.

Reasons for the Recommendation

Whether inappropriate development

5. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless it falls within the given list of exceptions. One exception to inappropriate development in the Green Belt is 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. Policy PG3 of the Cheshire East Local Plan Strategy 2010 - 2030 [July 2017] (LP) and Policy RUR11 of the Site Allocations and Development Policies Document [Adopted December 2022] (DPD) reiterate to a large extent national policy and are thus considered in broad conformity with the Framework.
6. The original building, as defined by the Glossary to the Framework, is a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. As set out in DPD Policy RUR11, 'original building' means the building and outbuildings/structures as it was originally built.
7. There is no definition of what constitutes 'disproportionate additions' either within the Framework or the development plan. Nevertheless, DPD Policy RUR11 explains that matters including height, bulk, form, siting and design will be taken into account. In addition to this, Policy RUR11 states that 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. The policy makes clear that in assessing proposals, full account will be taken of any previous extensions or development to the original building or in its curtilage.
8. The Case Officer report sets out detailed figures of the appeal property, including the floor areas and volumes of the original building, existing dwelling and proposed dwelling, as a result of the proposed development. The appellants have questioned these figures but have not offered contrary, more detailed evidence, despite Policy RUR11 requiring 'clear evidence of the original and proposed floorspace'.
9. The appellants simply rely on a very brief Case Officer report for an extension to the appeal property approved in 2015¹, but this is not supported by detailed evidence either, for example in the form of detailed calculations or drawings identifying the original building and subsequent additions. I cannot therefore be certain that the development approved in 2015 resulted in an approximate 30% increase over the size of the original building, as stated in the Case Officer report.
10. Having regard to the available information and in the absence of further evidence to the contrary, I have no reason to doubt that the Council's figures setting out the floor area (161 square metres) and volume (348.1 m3) of the original building are inaccurate.
11. The site's relatively recent planning history shows that the appeal property has been subject to a number of alterations and additions, including a rear conservatory approved in 1994 and an extension to one of the outbuildings approved in 1996. As shown on the plans for the scheme approved in 2015, the conservatory was replaced by a much larger single storey rear extension. This scheme also included the construction of a first floor side extension. This is consistent with my site observations.
12. Cumulatively, there is no doubt that the previous additions have considerably increased the size of the original building. Although relatively modest in size, the

¹ Local Planning Authority Reference 15/2190M.

proposed extension would, when taken in combination with previous additions, significantly exceed the 30% threshold set by Policy RUR11 or, in other words, what can be reasonably considered proportionate in relation to the size of the original building.

13. The appellants state that the proposal comes under one of the exceptions in DPD Policy RUR11, which states that an exception to these size thresholds (30%) may be acceptable where the proposal provides additional floorspace with no significant alterations to the building's envelope or external appearance. To illustrate this point, the appellants have provided details of a scheme which has recently been granted planning permission² by the Council. However, the circumstances of each case inevitably vary, particularly as previous additions to the original building have to be taken into account. Accordingly, I do not consider that the circumstances of this particular scheme represent a direct parallel to the appeal before me.
14. As noted above, the proposed addition would in itself be relatively modest, as it would not increase the footprint of the building and solely add bulk and massing above part of the single storey rear extension. Nevertheless, and even setting the 30% threshold aside in the circumstances envisaged by Policy RUR11, this does not alter my view that when considered as a whole, the appeal development would, together with previous extensions, result in disproportionate additions over and above the size of the original building, which both national and local planning policy seek to resist.
15. With regard to Paragraph 154 of the Framework, the proposal therefore would be inappropriate development in the Green Belt. The proposal would also contradict the Green Belt aims of LP Policy PG3 and DPD Policy RUR11.

Openness of the Green Belt

16. The appeal property lies within a small village, in an area otherwise characterised by its rural feel. The site comprises a two storey detached dwelling and outbuildings to its side, set within a spacious plot. The proposed rear extension would introduce an additional built form on top of the ground floor roof whilst remaining within the dwelling's footprint.
17. In addition, it would be subservient to the host dwelling and not visible from public view due to being screened by the host dwelling. Although the cumulative impact with previous additions creates a substantial increase in size to the original building, the proposal would have no adverse effect on the openness of the Green Belt in visual terms. The additional built form at first floor would compromise openness spatially on a very limited basis, which would nevertheless add to the Green Belt harm by reason of inappropriateness.

Other considerations

18. Paragraph 153 of the Framework highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, to which I ascribe substantial weight, and any other harm resulting from the development, is clearly

² Local Planning Authority Reference 24/1426M.

outweighed by other considerations. Several considerations have been referred to my attention in this particular instance.

19. While the intent to enhance internal circulation and accessibility is acknowledged, these internal improvements do not justify the proposed extensions. I therefore afford very limited weight to this consideration. The appellants have also made reference to the proposal being acceptable in design terms, as well as the lack of harm identified to the character and appearance of the area and the living conditions of neighbouring properties. These are neutral matters, which do not weigh in favour of or against the proposal.

Conclusion and Recommendation

20. The appeal scheme would constitute inappropriate development in the Green Belt, to which I ascribe substantial weight. The absence of harm in respect of the character and appearance of the area or the living conditions of neighbouring residents are neutral matters which do not weigh in favour of the appeal development. When taken individually or cumulatively, the other considerations advanced in support of the scheme do not clearly outweigh the harm which would be caused to the Green Belt. In this instance, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist.
21. As such, the development would contradict the aims of LP Policy PG3, DPD Policy RUR11 and Section 13 of the Framework, which seek to prevent inappropriate development in the Green Belt. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Khan

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR