



Appeal Decision

Site visit made on 1 July 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal Ref: APP/R0660/D/25/3359651

Coach House, Woodend, Styal, Wilmslow SK9 4HF

- 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 M McHale against the decision of Cheshire East Council.
 - The application Ref is 24/3374M.
 - The development proposed is the relocation of orangery extension and conversion of garage to office.
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Decision

1. The appeal is dismissed in relation to the relocation of the orangery.
2. The appeal is allowed and planning permission is granted insofar as it relates to the conversion of a garage to an office at the Coach House, Woodend, Styal, Wilmslow SK9 4HF in accordance with the terms of the application 24/337M so far as relevant to that part of the development hereby permitted and 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 the following approved plans:

Location Plan 1600-L01

Drawing No 1600-203 Proposed Plans and Elevations

Procedural Matter

3. The development, the subject of the appeal, consists of two distinct elements: the relocation of an orangery; and the conversion of a garage to office accommodation. The appeal concerns only the former as the Council raises no concern with regard to the office conversion. I am satisfied that due to the re-use of the existing garage structure and that no additional floor space is created, that this part of the proposal is acceptable. As it is physically and functionally independent of the orangery extension I shall issue a split decision allowing this part of the development. I deal with the matter of conditions in my decision below.

Main Issues

4. The main issues in the appeal are:

- i. 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;
- 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 outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal property, The Coach House (the Coach House) lies within 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, or the building as existed in 1948. Local Plan Policy PG3¹ broadly aligns with the Framework in this regard and the Council's Site Allocations and Development Plan Document in the Green Belt quantifies matters further recommending no more than an increase in size of 30% of the original building usually determined by floorspace.
6. The Coach House has been previously extended. It is accepted by the appellant that the proposed volume increase would be significantly greater than what the Council would normally accept and acknowledged that the proposed extension would amount to a disproportionate addition to the original building. I concur with the assessment of both parties given that the proposed extension would be a considerably sizeable and notable structure. As such I find that the proposed development would amount to inappropriate development within the Green Belt, a matter to which I attach substantial weight.

Openness

7. The essential characteristics of the Green Belt are their openness and spatial permanence. The openness of the Green Belt has a spatial and visual aspect and is primarily characterised by a lack of buildings or development. The proposal would result in a more sizeable building and increase the level of built development in this location. As such the proposal would have an adverse effect on the openness of the Green Belt. The Coach House is sited within a large plot distant from the highway. The orangery would be sited to the rear of the dwelling and views of the proposal would be relatively unobtrusive. As such whilst the proposal would not cause harm to the visual amenity of the Green Belt, it would result in a small loss of openness to the Green Belt.
8. Therefore, in addition to the harm arising from the fact that the development would be inappropriate, there is a degree of harm arising from the loss of openness. Consequently, I conclude that the development would not preserve Green Belt openness, albeit in the context of the scale of the proposal, this is limited.

¹ Cheshire East Local Plan Strategy (CELPS) 2010-2030

Other Considerations

9. The appellant has been granted a Certificate of Lawfulness (LDC) for a similarly designed orangery extension at the rear of the dwelling. This extension can be considered to represent a fall-back position. In this case the appellant has indicated that the fall-back position would be implemented should the current proposal be dismissed. I accept that there is a greater than theoretical possibility that the fallback scheme might take place were the appeal to be dismissed. It therefore forms a consideration in this case. Its relevance to my determination of this appeal is the weight to be attached to this fall-back position.
10. Therefore, an orangery is likely to be added to the rear elevation. Both schemes would extend from the same northerly elevation of the Coach House and be of a similar built form. Both proposals would have harmful effects on the openness of the Green Belt. The Council raise concern that there would be nothing to prevent the orangery being built under the terms of the LDC before the appeal scheme was implemented. I recognise that the appellant indicates that the option of providing two orangeries alongside each other on the same elevation might be particularly difficult. Nonetheless it would be physically possible.
11. If this occurred the effect on openness would be exacerbated. Whilst a condition removing permitted development rights could be imposed on any permission granted, this would not have effect until the planning permission was implemented. This outcome could only be prevented by means of a s106 obligation whereby the appellant covenants to forgo the relevant rights permitted by the LDC immediately upon the issue of the planning permission since without this the LDC simply provides an additional option to enlarge the dwelling.
12. A unilateral undertaking has been provided by the appellants which is stated to become effective on the grant of planning permission for the scheme before me. However, the obligations within the deed are stated to only become effective upon the grant of the planning permission and the commencement of the development, the subject of the appeal. Therefore, even if the appeal were to be allowed, this would not prevent the construction of the orangery, the subject of the scheme approved by the LDC, prior to the commencement of any development of the scheme before me. This therefore reduces the overall weight I can give to the fallback position and as such I give limited weight to the fallback position.

Green Belt Balance and Conclusion

13. The Framework indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The Framework also indicates that substantial weight should be given to the harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm arising from the proposal is clearly outweighed by other considerations.
14. The proposal would constitute inappropriate development within the Green Belt. In accordance with the Framework, I afford substantial weight to the harm caused by reason of inappropriateness. There would be a limited negative impact on openness. Limited weight is given to the presented fallback position for the reasons given above. As such this does not clearly outweigh the harm to the Green Belt I

have identified. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.

15. I have found that as the conversion of the garage is physically and functionally severable from the orangery, a split decision would be appropriate in this instance. I have attached the standard time condition and a plans condition to provide clarity and certainty to the approved scheme. Accordingly, the appeal succeeds in relation to the proposed conversion of the garage to an office.
16. However, in relation to the proposed orangery the appeal is dismissed.

K Winnard

INSPECTOR