



Appeal Decision

Site visit made on 1 July 2025

by **K Winnard LLB Hons Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 28 July 2025

Appeal Ref: APP/R0660/D/25/3360005

The Coach House, Foxcovert Lane, Lower Peover, WA16 9QT

- 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 Osborne against the decision of Cheshire East Council.
 - The application Ref is 24/0530M.
 - The development proposed is the demolition of single storey outrigger, link to the adjacent barn and small section of barn and construction of part two storey, part single storey extensions.
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Decision

1. The appeal is allowed and planning permission is granted *for* the demolition of single storey outrigger, link to an adjacent barn and small section of barn and the construction of part two storey, part single storey extensions at The Coach House, Foxcovert Lane, Lower Peover WA16 9QT in accordance with the terms of the application 24/0530M and the plans submitted with it, subject to the conditions set out in the attached schedule:

Procedural Matters

2. The appeal property is located within the Green Belt. This matter is not at issue between the parties and the Council has accepted that the proposal is not inappropriate development within the Green Belt. I agree with this assessment and my decision deals solely with the reason for refusal given by the Council.
3. The proposal was originally described as the demolition of single storey outrigger, link to adjacent barn and construction of part two storey, part single storey extension and a lean to extension and new garage. However, in the course of the application process a number of revisions have been made to the scheme. The Council subsequently revised the description of the development, which I have used above. Whilst there is a reference in the appeal documentation that the description is inaccurate due to the removal of the small section of barn from the proposals, on the basis of the plans and the information before me, the removal of the small section of barn remains part of the proposed scheme. For the avoidance of doubt, I have made my decision on those plans as set out in of the decision notice save for the new site plan referred to below.
4. The scheme before me consists of a number of elements. The Council's concerns relate to the two side lean to extensions and the inclusion of a boundary link wall between the Coach House and the adjacent barn. The Council do not raise

concerns with regard to the demolition of the single storey outrigger and small section of barn and construction of the two storey element of the proposal.

5. The appellant has asked me to consider a revised plan (drawing no 1622-203G) which shows the removal of the link wall between the Coach House and the associated barn. On the information before me, I understand that the Council had previously had the opportunity to comment upon this element of the scheme and had considered this to be acceptable. Accordingly, I consider that it would be appropriate for me to consider this proposal and that no party will be prejudiced as a result of my doing so.

Main Issue

6. The main issue in the appeal is the effect of the development on the character and appearance of the host building, given its status as a non-designated heritage asset.

Reasons

7. The appeal property, The Coach House (the Coach House) is a detached dwelling linked to a L-shaped barn by a single storey link. The barn has planning permission to conversion to an independent dwelling. To the east of the Coach House lies Peover House, an independent dwelling. Together the Coach House and the barn are considered by the Council to be non-designated heritage assets, dating back to the mid 19th century and together forming a farmstead reflecting the local socio-economic and historical character of the rural area. The value of the Coach House to this group lies predominantly in its age and relationship to the barn and Peover House. The Coach House has been extended in the past and although it retains an overall agrarian character, its conversion has altered its character and appearance to one more akin to a residential dwelling.
8. The proposal to renovate the Coach House has been revised in the course of the application, and the Council's concerns relate to the introduction of two lean to extensions to either side of the dwelling and a boundary link wall between the dwelling and the barn. It is now proposed to remove this link wall. This would enable the buildings to be read as a complex and would revert back to the original building layout and separation and as such is a positive element of the proposed scheme.
9. Whilst the Council consider that the lean to extensions would undermine the external character of the building as a converted agrarian building, altering its form and mass, the character of the Coach House has evidently changed from its original use. The lean-to extensions would be subservient in form and design and use traditional materials. They would not substantially add to the overall amount of built form associated with the wider group of buildings nor undermine the ancillary character of the building or affect the historical relationship within this group of buildings. On balance any harm to the building's character and appearance would be negligible.
10. I note that the Council considers that the appeal site merits consideration as a non-designated heritage asset. Whilst the appellant questions this assessment, the National Planning Policy Guidance (NPPG) states that local planning authorities may identify non designated heritage assets as part of the decision-making process on planning applications. It further states that it is important that the

decision to identify them as non designated heritage assets are based on sound evidence. In this regard I note that the Council's Conservation Officers were consulted as part of the application.

11. Paragraph 216 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and harm or loss and the significance of the heritage asset. Policy SE7 of the Cheshire East Local Plan Strategy 2010-2030 (adopted 2017) (CE Strategy) and Policy HER7 of the Site Allocations and Development Policies Document (SADPD) echo this requirement. Taking the above into account the proposal would not harm the significance of the Coach House as a non designated heritage asset and would therefore not conflict with the requirements of the Framework, nor the Development Plan.
12. Accordingly, I conclude that the proposal would not cause unacceptable harm to the character and appearance of the Coach House. Accordingly, it would comply with Policies SE1, SD2 and SE7 of the CE Strategy and HER7 of the SADPD. Together these policies require, amongst other things, development not to harm the significance of the non-designated heritage asset and to be of a good quality design making a positive contribution to its surroundings.

Conditions

13. I am imposing conditions in relation to timescales in the interests of certainty. I am also imposing conditions to secure compliance with the approved plans and the use of materials in the interests of certainty and the significance of the non-designated heritage assets. The Council has not suggested any further conditions, but I note in the consultation responses a condition is also required in relation to the making good of openings and materials caused by the demolition of the relevant buildings, or part thereof in the interests of securing the significance of the non-designated heritage assets. I have accordingly imposed a condition in relation to materials. Conditions in respect of a bat survey and the protection of any nesting birds on site are also required in the interests of safeguarding protected species.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed as set out in the formal decision notice.

K Winnard

INSPECTOR

*****Schedule of Conditions*****

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans: 1622-L01B Location Plan, Plan No 1622-201D- Proposed Floor Plans, Plan No 1622-202E Proposed Elevations and Plan No 1622-203G Proposed Site Plan.
- 3) Notwithstanding details on the approved drawings and application form, no development shall take place until details or samples of the materials to be used in the construction of external surfaces and the fenestration to be installed of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details which have been approved shall be carried out in full and shall be retained in accordance with the approved details thereafter.
- 4) All new works and works of making good to the retained external brickwork shall be finished to match the adjacent work with regard to the materials used and to the existing brick bond, mortar, colour and texture unless otherwise first agreed in writing with the Local Planning Authority.
- 5) No stripping, demolition works or vegetation clearance shall take place between 1 March and 31 August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.
- 6) Prior to the commencement of works on the site (including works to the main building or outbuilding, installation of any permanent or temporary lighting and installation of scaffolding) a Non-Licensed Bat Method Statement providing full details of measures to safeguard bats at the site shall be submitted to the Local Planning Authority for approval. These measures should expand on those detailed within section 4.1.1 of the Bat Assessment (Kingdome Ecology,2024). The agreed measures shall be fully communicated to site staff and implemented in full.