



Appeal Decision

Site visit made on 31 July 2025

by **K Winnard LL.B Hons Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/A0665/D/25/3366615

1 Rowton Bridge Road, Christleton, Chester CH3 7BD

- 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 R Thompson against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/03702/FUL.
 - The development proposed is a replacement detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's questionnaire indicated that the appeal site was within the Christleton Conservation Area (CCA), but has subsequently confirmed that the part of the appeal site in which the development is proposed to be located is not within, but abuts, the CCA. I have consequently assessed the proposal on this basis.

Main Issues

3. 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 clearly outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal property, 1 Rowton Bridge Road is a detached dwelling situate in the village of Christleton which is washed over by the Green Belt. Policy STRAT9 of the Chester West and Cheshire Local Plan (Part One) states that additional restrictions will apply to development within the Green Belt in line with the Framework.

5. The Framework establishes that new buildings within the Green Belt are inappropriate other than for specified exceptions set out in the Framework. Paragraph 154 includes amongst other exceptions: (c) the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building and (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
6. For the purposes of outbuildings, the Council's Supplementary Planning Document House Extensions and Domestic Outbuildings (SPD) treats detached outbuildings within 5 metres of the dwelling house as an extension rather than a new building. In this instance the proposed replacement garage would be sited some 8 metres from the dwelling-house. Notwithstanding this, the Council has assessed the proposed replacement garage would represent a 70% increase in the floorspace from the original dwelling and as such in excess of the 30% figure given in the SPD when assessing whether or not an addition is disproportionate. This figure is not disputed by the appellant. The replacement garage would undoubtedly be a considerably sizeable structure and whilst the proposal would involve the removal of the existing garage, this would not in itself satisfactorily address the concerns over it being a disproportionate addition. Accordingly, I find that it would be a disproportionate addition and as such the proposal would not fall within the exception provided for in paragraph 154(c) of the Framework.
7. Turning to the exception provided for in paragraph 154(d), there is no dispute that the replacement building would be for the same use as the existing. Nevertheless, the overall footprint and size would be markedly greater than the one it would replace. As such the proposed building would undoubtedly be materially larger than the one it would replace. Consequently, the exception provided in paragraph 154(d) would not apply in this case.
8. As such I find that the proposed development would amount to inappropriate development within the Green Belt which by definition would be harmful to the Green Belt and to which I attach substantial harm.

Openness

9. 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 be of a greater height and overall size than the one it would replace. It would therefore inevitably have a greater impact on the openness of the Green Belt in spatial terms.
10. Whilst its design would be of a greater overall size than the existing garage, its relocation to the front of the appeal site adjacent to the boundary which is substantially screened by a high yew tree hedge would mean that the bulk of the proposed development would not be readily viewed. The appeal site as a whole would be visually more open. Nonetheless, as in the case of the existing garage, some limited views of the door facing elevation would be obtainable from the public highway. Given this, the impact on the visual openness of the Green Belt would therefore be neutral.
11. Therefore, in addition to the harm arising from the fact that the development would be inappropriate, it would result in this part of the Green Belt being less open than it is at present spatially. As such whilst acknowledging that this is a proposal for a

replacement garage, it would have a greater impact on openness of the Green Belt than the existing development. 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.

Other Considerations

12. The proposal would enhance the layout of the garden space for the appellants and would represent an improvement in their outdoor living space, and overall general amenity. Nevertheless, this would primarily be a private benefit and so only attracts modest weight in favour of the proposal.
13. The Council does not raise any objections to the proposal on design or amenity issues. Although the SPD indicates that outbuildings should not be positioned between the house and the road, the adjacent property has a similarly positioned garage. In this regard and given the significantly high hedge, the siting of the garage in this part of the garden would be considered to be in keeping with the character and appearance of the area and not harm visual amenity. However, such factors neither weigh either for or against the proposal.
14. I note the assertion of the appellant that the garage sited within the neighbouring property is a significantly more prominent feature than that proposed. Whilst I observed this garage on my site visit, I do not know the full circumstances surrounding this development. Nevertheless, each case must be decided on its own merits, and the existence of this development does not justify development which would otherwise be harmful. I therefore attach little weight to this consideration.

Green Belt Balance and Conclusion

15. The proposal would be inappropriate development within the Green Belt. Its impact on openness would be limited. In accordance with the Framework, I afford substantial weight to the harm to the Green Belt caused by reason of inappropriateness and other harm. The Framework states 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.
16. I find that the other considerations in this case do not clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Thus, overall, the proposal would conflict with the Development Plan when taken as a whole and there are no material considerations to outweigh this consideration. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

K Winnard

INSPECTOR