



Appeal Decision

Site visit made on 1 September 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/R0660/D/25/3367839

Moss Cottage, 40 Strawberry Lane, Wilmslow, Cheshire SK9 6AH

- 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 I Browne against the decision of Cheshire East Council.
 - The application Ref is 25/0074/HOUS.
 - The development proposed is a first floor rear extension and ground floor rear conservatory to dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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

3. The appeal property, is a detached dwelling which has been previously extended, located within the Green Belt. The Framework establishes 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 Core Policy PG3 of the Cheshire East Local Plan (Part One) Strategy (Local Plan) is broadly consistent with the Framework in this regard. Policy RUR11 of the Cheshire East Site Allocations and

Development Policies Document (SADPD) quantifies matters further by advising that an addition would usually be considered to be disproportionate when increasing the size of the original building by more than 30%, usually determined by the increase in net floorspace.

4. The Framework does not specify what might be considered a disproportionate addition over and above the size of the original building, nor does it contain specific numerical limits on the size of extensions. Size can be more than a function of floor space and can include amongst other things, the floor area, volume, form and scale of the relevant buildings. Policy RUR11 of the SADPD, in addition, advises that matters such as height, bulk, form, siting and design will be taken into account with particular attention given to increases in the overall building height when considering whether a proposal represents a disproportionate addition.
5. The appellant indicates that some of the previous extensions to Moss Cottage were replacements for parts of the original building. Nonetheless, the appellant's own calculations, taking these into account, show the percentage increase to be well above the 30% threshold provided for in Policy RUR11. In this instance the proposal would increase both the depth and bulk of the building adding a new conservatory and an extension at first floor level to the rear of the building. Together with previous extensions, these extensions would be sizeable, the cumulative scale of which would amount to a disproportionate addition to the original building. It would accordingly amount to inappropriate development in the Green Belt which is by definition harmful, a matter to which I attach substantial weight.

Openness

6. The essential characteristics of the Green Belt are their openness and permanence. Openness has a spatial and visual aspect and is primarily characterised by an absence of development. The proposal would increase the level of built development in this location and would result in a more sizeable building. To that extent the proposal would inevitably have some effect on the openness of the Green Belt through the increase of the amount of built form. There is also a visual aspect to openness. The appeal property is sited within a large plot distant from the highway and views of the proposed development at the rear of the property would be unobtrusive. As such whilst the proposal would not be harmful to the visual amenity of the Green Belt it would result in a small loss of openness, albeit in the scale of the proposal this would be limited.
7. 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 contrary to one of the purposes of including land within the Green Belt. The proposal would also be contrary to Policy PG3 of the Local Plan and Policy RUR11 of the SADPD, details of which I have already given.

Other Considerations

8. Other than on Green Belt grounds, there are no objections to the proposal. Nor do I doubt that the appeal site is within a sustainable location. However the absence of harm in other respects is not a positive consideration as acceptability in design and amenity terms is to be expected.

9. The appellant refers to a previous development policy which allowed for the erection of conservatories as an exception to development within the Green Belt. However, the planning policy context in which the current scheme is to be considered is different from the previous situation. Previous decisions as to the acceptability of conservatories within the Green Belt are not therefore directly comparable to the appeal scheme and so they have little influence on my assessment.

Other Matters

10. Whilst the appellant refers to the redevelopment over time of a nearby site to allow for the creation of new/converted dwellings, I do not have sufficient details of these developments before me to be able to make any meaningful comparison with the current proposal. I have some sympathy with the appellant's perception of such development but no two sites are the same and I must consider the appeal on the basis of its own merits and the Development Plan unless material considerations indicate otherwise. Such developments therefore do not alter my view in this case.
11. The appellant also suggests a condition restricting future replacement of the conservatory with an extension of more substantial condition. However given the harm I have identified relates to the disproportionality of the size of the extensions as proposed, such a condition would not overcome these concerns.

Green Belt Balance and Conclusion

12. The proposal would be inappropriate development within the Green Belt. Its impact on openness in this location would be limited. The Framework states that substantial weight should be given to any 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.
13. I find that the other considerations in this case do not clearly outweigh the harm to the Green Belt. Accordingly, the very special circumstances necessary to justify the development do not exist. The proposal would not accord with the Development Plan and there are no other material considerations to outweigh that finding. Therefore for the reasons given, I dismiss the appeal.

K Winnard

INSPECTOR