



Appeal Decision

Site visit made on 5 September 2025

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/R0660/D/25/3369963

Wheelwright Cottage, Nantwich Road, Nantwich CW5 8JR

- 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 Mrs Gemma Nicholas against the decision of Cheshire East Council.
 - The application Ref is 25/1288/HOUS.
 - The development proposed is Erection of single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is effect of the proposed development upon the open countryside.

Preliminary Matter

3. The appellant refers to a 'fallback position' in relation to a Certificate of lawfulness for two side extensions¹. This has been taken into account in my decision.

Reasons

4. Wheelwright Cottage (The Cottage) is a detached rural dwelling in a rural location, set within a large plot surrounded by open agricultural land and other dwellings scattered along Nantwich Road. The proposal would add a 4.5m deep flat-roofed extension to the rear of the recently extended Cottage. Policy PG6 of the Cheshire East Local Plan Strategy 2010-2030 (2017) (CELPS) tightly controls all development in the open countryside but permits extensions to dwellings that are cumulatively 'not disproportionate to the original dwelling'. The dwelling proposed to be extended is broadly double the size of the original Cottage² following a grant of permission in 2013³.
5. Policy RUR11 of the Cheshire East Site Allocations and Development Policies Document 2022 (SADPD) suggests calculations of size increases should be based on net floor areas, whereas the Council have assessed the proposals on the basis of volume. Irrespective of the basis of the assessment, I have concerns as to accuracy in that the dimensions of the rear extension appearing on the plan

¹ Appellant has supplied the Certificate issued (Ref 25/2628/CLPUD) by the Council dated 8 September 2025

² Wheelwrights Cottage appears to date from the late nineteenth century

³ 13/0946N for a two storey rear extension

indicate that the proposed full-width single-storey rear extension would add approximately 30-35m² in area to the existing building, whereas the Council suggest, improbably, that the single storey flat roofed extension would add a volume of 147m³ to an existing volume of 581m³. Consequently, of themselves, these figures cannot attract much evidential weight. Nevertheless, my observations support an overall conclusion that the likely result of the proposed development would be a house with a floor area between two and three times that of the original⁴ dwelling, which conflicts significantly with Policy RUR11 of the SADPD, which seeks to limit the size of additions to 50% of the original. Even allowing for the possibility that part of the original dwelling has been demolished⁵, it is clear that the proposal would conflict with the development plan which, in the identified policies, seeks to limit the impact of development on the open countryside that would arise from cumulative additions to modestly sized rural dwellings.

6. I have noted the representations as to need for additional living space and noted the appeal referred to⁶, but the factors in this case are not wholly comparable. It is not the case that the Cottage is deficient in facilities or accommodation; the extension could not be retained within the building's envelope, nor could the external appearance remain unchanged. Whilst it may be arguable that the appealed proposal would have little visual impact due to its location within the site, the appellant has also brought attention to other extension arrangements, a consideration to which I must also have regard.
7. The side extensions referred to in the Certificate of Lawfulness would similarly increase the size of the dwelling. Whilst the appellant suggests these extensions are a 'fallback' position in favour of the appealed proposal, even if the appealed proposal were acceptable in planning terms, I have nothing before me⁷ to ensure the certified side extensions can be regarded as an alternative that would not also be implemented if the appeal were allowed. The consequences of allowing the appeal would, therefore, be to risk a greater cumulative impact upon the open countryside in significant conflict with the development plan.
8. Overall, taking all matters raised into account and as my reasoning explains, the development would conflict with Policies PG6 of CELPS and RUR11 of SADPD, and I therefore conclude that the appeal cannot succeed.

Andrew Boughton

INSPECTOR

⁴ 'Original' as defined in the development plan as that which existed in 1948 (given the C19 date of the Cottage)

⁵ No evidence of such has been provided

⁶ APP/R0660/D/23/3326661

⁷ Such as a legal undertaking on the part of the building owner to not develop the side extensions.