



Appeal Decision

Site visit made on 12 November 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Appeal Ref: APP/R0660/W/25/3373882

Woodview Cottage, Brookledge Lane, Adlington, Cheshire East SK10 4JU

- 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 & Ms Charlie & Amy Weigert & Barret against the decision of Cheshire East Council.
 - The application Ref is 25/1927/HOUS.
 - The development proposed is described as 'erection of side and rear extensions, roof form alterations including the formation of dormers and erection of outbuilding.'
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of side and rear extensions, roof form alterations including the formation of dormers and erection of outbuilding at Woodview Cottage, Brookledge Lane, Adlington, Cheshire East SK10 4JU in accordance with the terms of application ref 25/1927/HOUS, and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawings numbers: L(90)13 (Location Plan), PL(00)04 rev A (Proposed Ground Floor Plan), PL(00)05 rev A (Proposed First Floor Plan), PL(00)06 rev A (Proposed Roof Plan), PL(00)09 rev A (Proposed Elevations 1 of 2), PL(00)10 rev A (Proposed Elevations 2 of 2), PL(00)12 (Proposed Site Plan).
 - 2) The external surfaces of the development hereby permitted shall match those of the existing building.
 - 3) No removal of any vegetation or the demolition, extension or conversion of building shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 5m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the local planning authority before any further works within the exclusion zone take place.

Preliminary Matters

2. The description of development above has been taken from the appeal form and the Council's decision notice, rather than the application form, as it is more precise.

3. The appellants have submitted additional evidence at the appeal stage that was not available to interested parties or the Council at the time of its decision. While the appeal process should not ordinarily be used to evolve a scheme, given the specific circumstances of this case, I considered it necessary, in the interests of fairness and accuracy, to change the procedure to written representations. This allowed for consultation, statements, and representations. Accordingly, I have taken into account all correspondence received within the relevant deadlines in my assessment below.
4. At the time of my site visit, works associated with the proposed development had already commenced. Accordingly, the development is partly retrospective, and I have considered it on this basis.

Main Issue

5. The Council's decision notice outlines two reasons for refusal. However, one of the reasons for refusal, which relates to protected species, has been withdrawn at the appeal stage. Thus, the main issue is:
 - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

6. The appeal site is within the Green Belt. Paragraph 154 of the Framework sets out that development within the Green Belt is inappropriate, subject to a number of exceptions. The Council has initially assessed the proposal against paragraph 154 c) of the Framework, which relates to the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. It is common ground between the Council and the appellants that the proposal would result in disproportionate additions to the original building, and thus it does not meet the paragraph 154 c) exception.
7. The matter of dispute between the main parties concerns paragraph 154 g) exception of the Framework, which allows for limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
8. One of the points of contention is whether the appeal site meets the definition of PDL, as outlined within the Framework. In this regard, the Council referenced a judgement¹, to which I had regard. The Framework's definition for PDL states that, among other things, PDL excludes land in built-up areas such as residential gardens. The Council asserts that the appeal site is within a built-up area for the purposes of PDL definition, and thus the proposal does not meet the paragraph 154 g) exception.
9. My attention has been drawn to the Cheshire East Local Plan Site Allocations and Development Policies Document Settlement and infill boundaries review [ED 06] August 2020 (SADPD Settlement and infill boundary review), which informs the Cheshire East Local Plan Site Allocations and Development Policies Document

¹ Dartford Borough Council v Secretary of State for Communities and Local Government & Ors [2017] EWCA Civ 141

2022 (SADPD). The Council's statement outlined within the Planning Officer's report reflects the evidence outlined within the SADPD Settlement and infill boundary review with regard to the location of the appeal site outside the built-up settlement of Adlington, and outside the Adlington village infill boundary.

10. While the Council contends, within their appeal submission, that the appeal site is connected to, and part of the built-up area of Adlington, as it forms part of a 'finger of development' extending eastward from Adlington, the SADPD Settlement and infill boundaries review provides clear statement on how settlement boundaries are defined. Paragraph 1.2 states that these boundaries define the built limits of a settlement and distinguish between its built form and the countryside. Part C: Defining infill boundaries of this document addresses Adlington and confirms that the boundaries were drawn around the existing built development curtilage of the village. It makes explicit reference to properties east of Ash Nab on Brookledge Lane, where the appeal site is located, finding that they are detached from the main built form of the village and stand within substantial grounds.
11. On this basis, and as shown on the Adlington village boundary map, the appeal site lies outside the recognised settlement boundary. Notwithstanding the existing development to either side of the appeal site along Brookledge Lane, I find that for planning policy purposes, the appeal site falls outside the built-up area of Adlington. Consequently, it meets the definition of PDL. It therefore falls to consider whether the development would cause substantial harm to the openness of the Green Belt.
12. The Planning Practice Guidance (PPG) provides advice on the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt, with openness being capable of having both spatial and visual aspects.
13. The development involves replacing a single-storey outrigger and conservatory with a single-storey rear and side extension, introducing roof alterations, and erecting an outbuilding. Based on the submitted figures, these changes would significantly increase the floorspace and overall volume, particularly when compared with the existing dwelling. While numerical assessments provide a useful indicator, it is equally important to consider the visual and spatial aspects, including any increase in scale, bulk, mass, and the overall built form resulting from the proposed development.
14. The rear and side extension would wrap around the dwelling, while the outbuilding would be positioned immediately to the east of the house. Most of the additional bulk and mass would be concentrated at ground level, close to the existing footprint. Despite the overall increase in floorspace and volume, the additions would remain relatively compact given their siting in relation to the dwelling. Nevertheless, the development would reduce the openness of the Green Belt in both visual and spatial terms.
15. Existing boundary treatments and mature trees provide a degree of screening, and the dwelling's position within the plot, combined with its relationship to neighbouring properties, would limit views of the extended dwelling and outbuilding. As a result, the loss of openness would be localised. Therefore, although the scheme would harm the openness of the Green Belt, this harm would

not be substantial. It follows that the proposal falls within the exception set out in paragraph 154 g) of the Framework.

16. Policy PG 3 of the Cheshire East Local Plan Strategy 2010-2030 adopted 2017 (LP) states that within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy. The exceptions listed under this policy include 3. vi. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuous use (excluding temporary buildings), which would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The wording of point 3. vi. of this policy is not entirely consistent with paragraph 154 g) of the Framework as it imposes more stringent test for the redevelopment of PDL. The requirements of Policy PG 3 are therefore inconsistent with the Framework in this regard. Consequently, I afford limited weight to this policy in this respect.
17. In addition to LP Policy PG 3, the Council's reason for refusal references SADPD Policy RUR 11, which relates to extensions and alterations to buildings outside of settlement boundaries. Given my findings above regarding compliance with paragraph 154 g), it is not necessary for me to consider the development against the other Framework or local plan exceptions, or for very special circumstances to be present. While I acknowledge the Council's concern regarding the assessment of residential extensions against paragraph 154 g), each development needs to be considered on its own merits and site-specific circumstances.
18. In conclusion, given my findings above, the appeal scheme would not be inappropriate development in the Green Belt. Accordingly, there would be no conflict with LP Policy PG 3 and the provisions of the Framework.

Other Matters

19. In reaching my conclusion above I have had regard to paragraph 153 of the Framework, which states that substantial weight should be given to any harm to the Green Belt, including harm to its openness. Footnote 55 clarifies that this requirement applies other than in the case of development on PDL or grey belt land, where development is not inappropriate.
20. The Council has drawn my attention to several appeal decisions², and I have had regard to them, particularly in relation to PDL and/or built-up areas. I do not, however, have full details of those cases. Based on the evidence before me, the appeal scheme is not directly comparable with them, as their site-specific circumstances differ. These differences include whether the site was found to form part of a recognised settlement and/or whether the relevant local plan defined specific village or settlement boundaries. In any event, I have determined the development on its own merits, and site-specific circumstances.
21. I acknowledge the third party's concern regarding the use of the outbuilding. However, such use is not for me to consider in the context of this appeal, and it does not alter my findings above with regard to the appeal scheme.

² Appeal refs: APP/R0660/C/24/3346262, APP/N4720/W/25/3367759 & APP/Q3115/W/22/3292619.

Conditions

22. In the interest of proper planning and to provide certainty, I have imposed a condition to specify that the development should be carried out in accordance with the approved plans. To safeguard the character and appearance of the existing dwelling, a condition to secure the proposed materials is necessary.
23. The Council concluded that, in light of the additional Bat Assessment, which outlines a survey carried out on 29 August 2025, this evidence is sufficient to overcome the second reason for refusal. The Council, however, recommends a condition to safeguard biodiversity. Given the rural setting of the appeal site and the nature of the development, I consider such a condition both reasonable and necessary to ensure the scheme safeguards biodiversity.
24. The Council also seeks a condition removing certain permitted development rights, citing the need to retain control over further building on the appeal site within the Green Belt. However, paragraph 55 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. The Council has not provided substantive, site-specific evidence to demonstrate what harm would arise from the exercise of those rights. In the absence of such justification, the condition would not meet the tests of necessity or reasonableness. Therefore, I consider that the suggested condition is neither necessary nor reasonable.
25. I have revised the Council's suggested conditions, where necessary, to better reflect the requirements of the PPG.

Conclusion

26. For the reasons given above I conclude that the development does not conflict with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be allowed.

Andreea Spataru

INSPECTOR