



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: 21 August 2025

Appeal Ref: APP/R0660/D/25/3363151

1 Yewtree Cottage, Alderley Road, Chelford, Macclesfield, Cheshire East SK11 9AP

- 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 Moss against the decision of Cheshire East Council.
 - The application Ref is 24/4781/HOUS.
 - The development proposed is a two storey side and single storey rear extension and alterations to the existing access to widen the driveway.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and single storey rear extension and alterations to the existing access to widen the driveway at 1 Yewtree Cottage, Alderley Road, Chelford, Macclesfield, SK11 9AP in accordance with the terms of the application 24/4781/HOUS and the plans submitted with it, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 0415(P) 100 Site Location Plan, Drawing No 0415(P) 203 Site Location Plan, Drawing No 0415(P) 213 Proposed Building Plan, and Drawing No 0415(P) 223 Proposed Building Elevations.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. Within the appeal documentation the appellant asserted that the site now fell within the paragraph 154(g) exception of the National Planning Policy Framework (the Framework). The Council was given the opportunity to comment on any relevant implications for the appeal.
3. The appeal scheme consists of the erection of extensions and alterations to the existing access to widen the driveway. The latter comprise engineering operations and are not inappropriate development within the Green Belt provided they preserve the openness of the Green Belt and do not conflict with their purposes. No assessment has been made by the Council within its delegated report as to the implications of this part of the development in relation to the Green Belt, and no reference is made within the decision notice in respect of engineering operations. The Council's concerns relate only to the construction of the

extensions. Given this, I shall direct my assessment on these elements of the appeal scheme.

Main Issues

4. 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

5. The appeal property, 1 Yewtree Cottage, is a semi-detached dwelling previously extended, situate in the village of Chelford which is washed over by the Green Belt. Alderley Road is characterised principally by the linear arrangement of commercial and limited residential development on its western side extending a short distance northeast from the roundabout.
6. The Framework establishes that the construction of new buildings is inappropriate development within the Green Belt unless the development falls within specified exceptions. 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 (g) limited infilling or the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt. Core Policy PG3 of the Cheshire East Local Plan (Part One) Strategy (Local Plan) is broadly consistent with the Framework in this regard.
7. Turning to the paragraph 154(c) exception, 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 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. In addition, it 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.
8. The Council has stated that the proposal when taken without the previous rear extension, would increase the floor space of the original dwelling by approximately 55%. This percentage has not been contested by the appellant. However, the Framework does not put an upper limit on what disproportionate might mean. In

this respect Policy RUR11 indicates that the figure of 30% should be taken as an usual indication as to what could constitute a disproportionate addition. Matters relating to proportionality can therefore still involve some degree of planning judgment.

9. In this instance the proposed side extension would be set back from the front elevation and its roof ridge would be set below the main roof ridge, not increasing the overall building height. Notwithstanding the increase in floorspace and volume, It would not appear out of proportion with the original dwelling. Overall, its size would appear to be subservient to the original dwelling.
10. The single storey rear extension would be larger than the existing flat roof extension to the rear which would be removed as part of the proposal. However, its single storey and gabled form would not challenge the dominance of the original two storey building. Even though the proposed extension would extend the depth of the building, it would integrate well with the original building. Further, the neighbouring attached dwelling has a similar ground floor rear extension, and the proposed rear extension would not encroach beyond the line established by this extension.
11. Overall, in terms of its form, bulk and prominence the proposal would not significantly extend the visual impression of built development in this rural area, particularly when considered that the neighbouring attached property has been extended in a similar manner. It would not appear out of proportion so as to overwhelm the original building, nor would the resultant development appear cramped within the site.
12. I accept that the proposal would exceed the 30% guideline provided for in Policy RUR11 of the SADPD. However, for the reasons above, I am satisfied that the proposal would not result in a disproportionate addition over and above the size of the original building. Policy RUR11 also sets out additional criteria to be met when considering a proposal for an extension to a building in the Green Belt. I note in this regard that the Council do not raise any concerns to the proposal meeting these criteria. I also note its conclusion that, by virtue of its scale and design, there would be no detrimental impact on the character of the existing dwelling and the surrounding area.
13. Taking the above into account, I find that the proposal would not result in a disproportionate addition over and above the size of the original building. On this basis, and on the specific site circumstances, context and the works proposed, I find that the proposal would not constitute inappropriate development within the Green Belt, and would accord with the Framework and Local Plan Policies PG3 and RUR11.
14. As I have found that the development would not constitute inappropriate development within the Green Belt, there is no requirement for me to consider the effect of the proposal on the openness or purposes of the Green Belt, nor for very special circumstances to justify the development to be demonstrated. Nor is it necessary for me to consider the exception at paragraph 154(g) given my conclusion above.

Other Matter

15. I note the Council's concern that works under a Lawful Development Certificate recently approved¹, and if implemented, could result in the construction of outbuildings resulting in further built development on the appeal site. No specific details of the certificate granted are before me, but in any event, having regard to the limitations and dimensions in place under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), any such outbuildings would be limited in scope. Further, as indicated by the Council, the garage would fall within the criteria set out in Policy RUR11 as a small scale outbuilding within a residential curtilage.

Conditions

16. I have imposed the standard time and plans conditions in order to provide certainty. A condition regarding matching materials is necessary in the interests of visual amenity, and the character and appearance of the host dwelling and the wider area.

Conclusion

17. For the reasons given above, having considered the development plan and all other relevant material considerations, I conclude that the appeal should be allowed as set out in the formal decision notice above.

K Winnard

INSPECTOR

¹ 24/3159M