

<b>Planning Reference No:</b>	<b>11/0037M</b>
<b>Application Address:</b>	<b>BROAD HEATH HOUSE, SLADE LANE, OVER ALDERLEY</b>
<b>Proposal:</b>	<b>BRICK GARAGE TO REPLACE CARPORT</b>
<b>Applicant:</b>	<b>MR CHRIS WREN</b>
<b>Application Type:</b>	<b>FULL</b>
<b>Grid Reference:</b>	<b>386699 376409</b>
<b>Ward:</b>	<b>ALDERLEY</b>
<b>Earliest Determination Date:</b>	<b>16 FEBRUARY 2011</b>
<b>Expiry Date:</b>	<b>2 MARCH 2011</b>
<b>Date of Officer's Site Visit:</b>	<b>10 FEBRUARY 2011</b>
<b>Date Report prepared:</b>	<b>25 FEBRUARY 2011</b>
<b>Constraints:</b>	<b>GREEN BELT AREA OF SPECIAL COUNTY VALUE</b>

### **SUMMARY RECOMMENDATION**

The application is recommended for refusal, as the proposed development represents inappropriate development, and no Very Special Circumstances have been advanced to clearly outweigh the harm.

### **MAIN ISSUES**

- Impact on the character and appearance of the Green Belt, and Area of Special County Value
- Whether the proposal complies with policy GC12 of the Local Plan
- If the proposal is considered to represent inappropriate development, whether the applicant has submitted any Very Special Circumstances to outweigh the harm caused by inappropriateness and any other harm
- Impact on the openness and visual amenities of the Green Belt
- Scale and design of the proposal
- Impact on residential amenity

### **REASON FOR REPORT**

This application is brought before Members at the discretion of the Head of Planning and Housing, as Members are also considering an application for a replacement dwelling at Broad Heath House, which is elsewhere on this agenda (09/0842M), the original decision for which was quashed by the High Court.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a large detached dwelling, part two storey, part single storey, with attached double garage and open sided carport, set within a generous plot.

The application site is situated within an Area of Special County Value, within the Green Belt, as defined by the Macclesfield Borough Local Plan (2004). The property sits in an isolated position on Slade Lane, and is surrounded by open fields. The property is well screened by mature vegetation along the front and side boundaries. There is one gated access point to the property, off Slade Lane.

## **DETAILS OF PROPOSAL**

Planning permission is sought to replace the open sided carport with a brick built garage of a similar scale and design. The floor plans indicate that the existing garage would then be converted into a gymnasium; however, this is not cited on the application forms.

## **RELEVANT HISTORY**

5/5/1911	House & garage Approved with conditions 11.03.54
5/5/8146	Extension Approved with conditions 08.11.66
5/5/8590	Extension to form garage, bed sitting room and bathroom (annex building) Approved with conditions 27.07.67
50750PB	Two storey extension to lounge and bedrooms Approved with conditions 08.10.87
97/1420P	Free standing carport Approved with conditions 01.09.97

## **POLICIES**

### **Regional Spatial Strategy**

RDF4	Green Belts
DP1	Spatial Principles
DP4	Making the Best Use of Existing Resources and Infrastructure
DP7	Promote Environmental Quality
EM1(B)	Integrated Enhancement and Protection of the Region's Environmental Assets: Natural Environment

EM1(D) Integrated Enhancement and Protection of the Region's  
Environmental Assets: Trees, Woodlands and Forests

### **Local Plan Policy**

NE1	Areas of Special County Value
NE11	Nature Conservation
BE1	Design Guidance
GC1	Green Belt – New Buildings
DC1	New Build
DC3	Amenity
DC6	Circulation & Access
DC8	Landscaping
DC35	Materials and Finishes

### **Other Material Considerations**

PPS1	Delivering Sustainable Development
PPG2	Green Belts

### **VIEWS OF THE PARISH / TOWN COUNCIL**

Awaited

### **OTHER REPRESENTATIONS**

3 letters of objection have been received to date, in respect of the following:

- The description of the development is misleading, the proposal is:  
*“to covert the existing brick built double garage to a gymnasium together with the consequent need to replace the existing car port with a new brick built garage”.* (thus representing an extension to the existing habitable area of the property).
- The original house built in 1954 as the equivalent of an Agricultural Worker's Dwelling nowadays, and benefitted from an integral garage
- The original house had a gross floorspace of 210m<sup>2</sup>, including the integral garage
- The dwelling was not built in full accordance with the approved plans, the built dwelling was 6m<sup>2</sup> larger
- In 1967 an “annex” extension was permitted for special reasons on medical grounds
- A further outbuilding was added after 1967, without permission, which is now attached to the house
- A two storey side extension was approved in 1987
- A free standing car port was permitted in 1997, this did not create and additional habitable floorspace
- The extensions are summarised in the following table:

1954	Original House Ground Floor GF (including integral garage)	109 sqm (1,171 sq ft)
	Original House First Floor FF	101 sqm (1,089 sq ft)
1954 to 1967	'Outbuilding'/Utility GF	18 sqm (196 sq ft)
	Additional porch enclosure GF	2 sqm (22 sq ft)
	Additional porch enclosure FF	4 sqm (39 sq ft)
1967	Annex - new garage and bed sitting room GF	79 sqm (852 sq ft)
	'link' section (store/store/wc/shower/hall) GF	36 sqm (382 sq ft)
1987	Two storey extension to main house – GF	21 sqm (223 sq ft)
	Two storey extension to main house - FF	21 sqm (223 sq ft)

- 180m2 of extensions have been added to the original house (210m2), which equates to a 86% increase in floorspace
- The increase in bulk, scale and mass over the original dwelling also needs to be considered
- The scale and appearance of the original house has been significantly altered
- The proposals are far in excess of the 30% extensions permitted under policy GC12, none of the exceptions to the policy are relevant, the dwelling is situated in an isolated location
- The proposal would exacerbate already disproportionate and significant alterations to the original dwelling which have been accumulated over time
- The proposal therefore represents inappropriate development, which by definition is harmful to the purposes of including land within the Green Belt
- No Very Special Circumstances have been demonstrated to clearly outweigh the harm caused by inappropriateness
- Permitted development rights should have been withdrawn under the 1967 annex extension, to prevent further development
- The dwelling was originally built with an integral garage, which has been converted into living accommodation. A second double garage was permitted in 1967, which would be converted into a gym should this application be successful, this would be the **third garage** to this property, which would be located significantly closer to Slade Lane, moving forward the built frontage
- The gradual and incremental extension is what Local Plan Policies seek to prevent
- The proposal fails to comply with policies GC1 and GC12 of the Local Plan
- Further piecemeal development is out of character with the original dwelling, and fails to comply with policy DC1 and DC2 of the Local Plan

- The proposal would not contribute to the openness of the Green Belt, or the purposes of including land within the Green Belt
- The Council need to be mindful of the two further proposals (references 11/0257M and 09/0842M) when determining the current proposals
- The house is big enough already, it is the biggest in the area, and out of character with the surrounding properties
- This application and application 11/0257M (certificate of lawfulness for loft conversion), are only theoretical, to increase the floorspace of the existing house, prior to the re-determination of 09/0842M for the replacement dwelling, to make it somewhat easier to address the test of whether the replacement dwelling is materially larger
- Other rooms within the house could be converted to a gym to negate the need to build an additional garage
- Section 38 (6) of the Planning and Compulsory Purchase Act (2005) requires the determination of proposals be in accord with these policies unless material considerations indicate otherwise. No Very Special Circumstances or other considerations have been submitted, therefore the proposal should be refused

## **APPLICANT'S SUPPORTING INFORMATION**

Design and Access Statement

## **OFFICER APPRAISAL**

### **Principle of Development**

Paragraph 3.6 of PPG2 (Green Belts) advises:

*“Provided that it does not result in disproportionate additions over and above the size of the **original** building, the extension or alteration of dwellings is not inappropriate in Green Belts”.*

Therefore, no objection is raised to the principle of the development, provided that it is not a disproportionate addition to the original dwelling.

### **Policy**

The application site is situated within the Green Belt and Area of Special County Value, therefore policies GC1 and GC12 (Green Belts) and NE1 (Environment) from the Macclesfield Borough Local Plan are of direct relevance.

Policy GC1 re-iterates the guidance found in PPG2, advising that limited extension and alteration to existing dwellings may be permitted, subject to policy GC12. Policy GC12 advises:

*Alterations and extensions to existing houses in the countryside may be granted for up to 30% of the original floor space providing the scale*

*and appearance of the house is not significantly altered. Exceptions to the policy may be permitted where:*

*The proposal lies in a group of houses or ribbon of development and the extension would not be prominent*

*The extension is to provide basic amenities or an additional bedroom or living room in a small cottage*

*The extension is to provide a conservatory or domestic building in the curtilage.*

*And the proposal would not adversely affect the character and appearance of the countryside.*

## **Consideration of the proposal**

### **History**

Broad Heath House was original built in 1954 for a local farmer; however, it is not subject to any Agricultural Occupancy tie. The original floorspace of the dwelling (including integral garage) is approximately 210m<sup>2</sup>. Over the years, the property has benefitted from numerous extensions (as can be seen in the planning history), bringing the floorspace to 390m<sup>2</sup> excluding the conservatory and carport. The conservatory is excluded, as it is a lightweight structure, and is an exception to Green Belt policy. The carport has also been excluded as it too is a lightweight structure, and does not create any habitable floorspace.

### **Does the proposed development comply with Green Belt Policy?**

Policy GC12 permits up to 30% extensions over the original floorspace, providing the scale and appearance of the house are not significantly altered. As outlined above, there are three exceptions to this policy, the first and second exceptions are not relevant, however, the third exception needs some consideration.

A garage could be considered a domestic building. However, as the proposed garage would physically attached to the house, it must be considered as an extension, rather than a free-standing domestic building within the curtilage, therefore this exception cannot be given significant weight.

The current proposals have to be considered against all of the other extensions to the property, since it was built in 1954. The proposed garage would create a floorspace of 50 m<sup>2</sup>, which would bring the total floorspace to 440m<sup>2</sup>, a percentage increase of 109% over the original house.

It is considered that this, and all the other extensions and alterations significantly change the scale and appearance of the original dwelling. From

studying the microfiche, it can be seen that the original dwelling was rather attractive. However, the various piecemeal extensions and alterations have resulted in loss of symmetry, and have substantially increased the width of the dwelling, particularly at ground floor level. This has had a detrimental effect on the architectural integrity of the building.

As the proposal exceeds 30% and does not benefit from any of the exceptions in policy GC12, it must be considered inappropriate development, which by definition is harmful for the purposes of including land in the Green Belt.

No Very Special Circumstances have been advanced to clearly outweigh the harm caused by inappropriateness.

### **Any Other Harm?**

It should be noted, that this would be the third garage at this property. Concern is raised in respect of the cumulative and incremental effect the approval of this application would have on the openness of the Green Belt. As openness is the most important attribute of the Green Belt, this issue carries a good degree of weight.

Whilst the existing carport sits forward of the dwelling, it is an open-sided lightweight structure, it is considered that a brick built garage would have a more significant impact on the openness and visual amenity of the Green Belt, by virtue of its more solid structure and appearance, and greater degree of permanency.

### **Design**

The proposed garage is of a basic design, with a flat roof, similar to the existing carport. The design is not considered to be particularly sympathetic to the existing dwelling; however, it is not readily visible from outside the site.

### **Amenity**

As the dwelling is situated in relatively isolated position, the proposed development is not considered to injure the amenities of neighbouring properties.

### **Ecology**

An ecological survey was carried out in 2009, in respect of the replacement dwelling application, which found no evidence of any bats, consequently the proposed development is unlikely to have an adverse impact upon this species group. The proposed development is therefore considered to comply with policy NE11 of the Local Plan.

## **CONCLUSIONS AND REASONS FOR THE DECISION**

The proposal is considered to constitute inappropriate development, as it would result in cumulative increase of 109% over the original dwelling, and it, along with the previous extensions would significantly change the scale and appearance of the original house.

Due to its more solid structure and appearance, and greater degree of permanency, it is also considered that the proposal would result in a loss of openness.

No Very Special Circumstances have been advanced to clearly outweigh the harm caused by inappropriateness or any other harm.

## **RECOMMENDATION**

The application is recommended for refusal for the following reasons:

1. The development is therefore contrary to policy RDF4 of the Regional Spatial Strategy for the North West and policies GC1 and GC12 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. The development is similarly contrary to national policy guidance relating to development within the Green Belt. It is not considered that very special circumstances exist to justify the approval of inappropriate development in the Green Belt.

Policy GC12 of the Macclesfield Borough Local Plan only allows for alterations or extensions to dwellings which would neither result in a significant change in the scale and appearance of the original dwelling nor require additional works which would unduly detract from the quality of the environment. The proposed extension is considered by the Local Planning Authority to be a significant and disproportionate addition to this dwelling. The Local Planning Authority considers that the erection of the proposed extension would be contrary to the objectives of these policies which are to retain the prevailing character of housing in the rural areas and the stock of smaller dwellings, and that such proposals, if permitted, would have a cumulative and incremental effect on the openness of the Green Belt.



Location Plan: Cheshire East Council Licence No. 100049045

