

Application No: 13/0107M

Location: Bramble Cottage, FREE GREEN LANE, LOWER PEOVER, CHESHIRE, WA16 9PT

Proposal: Extension over existing single storey and other alterations (revised from 12/1758M - now proposed to be set back from front)

Applicant: Mr Alan Moran

Expiry Date: 08-Mar-2013

**Date Report Prepared: 15<sup>th</sup> March 2013**

### **SUMMARY RECOMMENDATION**

Refuse – Inappropriate development in the Green Belt, no Very Special Circumstances demonstrated.

### **MAIN ISSUES**

- Green Belt considerations
- Impact on the character and appearance of Lower Peover Conservation Area
- Impact on the setting of the adjoining grade II Listed Building

### **REASON FOR REPORT**

This application is being brought to Northern Planning Committee at the discretion of the Northern Area Manager, as the application site has a complex planning history, and there are on-going legal matters.

### **DESCRIPTION OF SITE AND CONTEXT**

Bramble Cottage is a detached two storey brick built cottage. The building was originally an outbuilding to Barrow's Brow Farm; a grade II Listed Building, dating back to c1900. The outbuilding is not specifically referred to in the listing of Barrow's Brow Farm; however, the impact of any development at this site may affect the setting of the Listed Building.

The building has been substantially altered in the last two years, through the implementation of applications No. 10/5004M & 11/2048M, which granted permission for a two storey side and single storey rear extension and other alterations, including the reconstruction of the front gable of the original outbuilding.

The property shares an access point/driveway with Barrow's Brow Farm, and has an area of hardstanding to the front of the property for parking.

The application site is located within Lower Peover Conservation Area, and within a small ribbon of development in the Green Belt.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for a single storey front extension to the utility room, and for a first floor side extension, above the utility room to rationalise the bedroom space. The property will remain two bedroomed.

## **RELEVANT HISTORY**

- 12/1758M Extension over existing single storey and other alterations  
Refused 15/08/12
- 11/2048M Reconstruction of Gable End, Rear Extension and Other Alterations to  
Approved Plan 10/5004M  
Approved with conditions 15/08/11
- 10/5004M Alterations & extensions  
Approved 14/03/11
- 09/3536M Certificate of lawfulness for existing residential dwelling and  
associated garden  
Approved 28/01/10
- 79763P Change of use of barn to dwelling  
Refused 01/02/95  
Appeal allowed 06/12/95 for granny annex

## **POLICIES**

### **North West of England Plan Regional Spatial Strategy to 2021**

- DP1 (Spatial principles applicable to development management)  
DP7 (Criteria to promote environmental quality)  
EM1 (C ) Historic Fabric

### **Macclesfield Borough Local Plan – saved policies**

- BE1 (Design principles for new developments)  
BE2 (Historic Fabric)  
BE3 (Conservation Area)  
BE16 (Listed Building Setting)  
DC1 (High quality design for new build)  
DC2 (Design quality for extensions and alterations)  
DC3 (Protection of the amenities of nearby residential properties)

DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC38 (Guidelines for space, light and privacy for housing development)  
DC43 (Side extensions)  
GC1 (Green Belt New Build)  
GC12 (Control over extensions and alterations to dwellings in the Green Belt and Countryside)  
H13 (Protecting residential areas)

Between them these policies aim to protect the living conditions of adjoining residential properties from harmful loss of amenity such as loss of privacy, overshadowing, loss of light or overbearing impact. They aim to ensure that the design of any extension or new building is sympathetic to the existing building on the site, surrounding properties including the setting of the Listed Building, Conservation Area, countryside and the wider street scene by virtue of being appropriate in form and scale and utilising sympathetic building materials.

## **National Planning Policy Guidance**

National Planning Policy Framework

## **CONSULTATIONS**

### **Conservation Officer:**

Objection raised

## **VIEWS OF THE PARISH**

Lower Peover Parish Council object to the proposal on the grounds of

1. Over development of the site
2. The site is in a conservation area
3. The property overlooks its neighbour (Church View)

## **OTHER REPRESENTATIONS**

Representations have been made from 8 households. 3 households object, whilst 5 households support the proposals.

Full copies of these representations are available on the Council's website, but the following is a brief summary of the comments submitted:

Objections:

- The grounds that the last application was refused on are still applicable
- The nominal set back does not overcome the concerns raised
- The extensions would result in a dwelling out of keeping with its surroundings including the setting of the Listed Building

- The property is a converted agricultural building and has been extended extensively in the past, further extensions would be disproportionate
- The resultant dwelling would not remain subservient to Barrow's Brow Farm
- Further development of this former barn is unsustainable in context of its setting and environmental value
- Further development of the barn would have a harmful impact on the character of the Green Belt
- The development would have an adverse impact on the character of Lower Peover Conservation Area
- The increase in size and potential occupancy with associated traffic /water effluent/noise would have a significant impact on this quiet, rural area.
- Loss of privacy due to the close proximity

Support:

- Both Barrow's Brow Farm and surrounding properties have had quite big alterations and extensions and in comparison, this extension is much smaller. Importantly, it will give the applicant better living conditions upstairs.
- The original approval for a 2 bedroom property was a compromise
- Building over the existing utility room will not be either visible to any other property or reduce the privacy of other residents.
- The alteration will better balance the aspect from the Peover Eye.
- The extension is discrete and set back from the front, matching the design of the cottage, and fits in perfectly
- The extension is entirely in keeping with the rural neighbourhood and the surrounding area
- Design of the extension is sympathetic to the existing dwelling
- Barrow's Brow Cottage and Barrow's Brow Farm have been significantly extended

## **APPLICANT'S SUPPORTING INFORMATION**

The applicants have responded in detail to the objections raised. Their responses can be read in full on the Council's website, but in summary they make the following comments:

- Our proposed extension is extremely small – we are seeking to increase the floor space by approximately 5% to 60% in total
- The modest extension is to be built on the modern end of our cottage, in the same ribbon as Barrow's Brow Cottage and Barrow's Brow Farm which have been considerably extended
- Barrow's Brow Cottage has been extended by 250%, whilst Barrow's Brow Farm has been extended by 100%

***N.B. These figures are questioned by the case officer.***

- The extension is a significant distance from the neighbouring buildings (not overlooking and all-but-hidden from view), now set back from the front and on the modern side of the cottage
- Bramble Cottage stands over 35 metres away from Church View, and there are no windows which overlook any part of Church View
- This planning proposal has taken on-board the comments made Cheshire East in our previous planning application, and as a result, the proposed size has been reduced and it has been set back from the front elevation to ensure it is not unduly prominent or disproportionate
- The extension will be subservient
- The Planning Inspectorate has previously confirmed in its decision for Bramble Cottage that an addition to the western elevation (as in this case) could not affect the setting of the Listed Building as it is away from the Listed Building.
- the dwelling has at all times been a 2-bedroom house - as can be seen from previous plans.

## **OFFICER APPRAISAL**

### **Policy**

#### *National Planning Policy Framework & consistency with the MBC Local Plan*

Paragraph 215 of the NPPF states that *'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'*. Paragraph 216 goes on to say that *'from the day of publication, decision takers may also give weight to relevant policies in emerging plans'*.

In general, the Macclesfield Local Plan 2004 is considered to be consistent with the NPPF.

Paragraph 11 states that ‘*applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*’.

## **Green Belt**

Paragraph 89 of the NPPF permits “*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*”. Policy GC12 of the Macclesfield Borough Local Plan 2004 states that “*Alterations and extension to existing houses in the countryside may be granted for up to 30% of the original floorspace, providing that the character and appearance of the house is not significantly altered. Exceptions to the policy may be permitted where the proposal lies within a ribbon of development and the extension would not be prominent*”.

Therefore, one of the key considerations with this application is what the scale of the building was, when the certificate of lawfulness was granted for the use of the building as a dwelling, under application No. 09/3536M in 2010. As no survey drawings were submitted with the certificate application, we have to rely on the survey drawing submitted with planning application 10/5004M, which shows that the building had a floorspace of 97m<sup>2</sup>, when it became a dwelling in planning terms.

The property lies within a ribbon of seven houses, and therefore an exception to the 30% tolerance can be made, subject to the development not adversely affecting the character and appearance of the countryside.

Since 2010, Bramble Cottage has benefitted from planning permission for a two storey side extension and single storey rear extension, which has brought the floorspace of the dwelling to 153.7m<sup>2</sup>, an increase over the original floorspace by 58%. The proposed extensions would bring the floorspace of the dwelling to 165.7 m<sup>2</sup>, **an increase over the original floorspace by 71%**.

Whilst each application should be considered on its own merits, Members should recognise that a number of the properties within this ribbon of development have been extended. The applicant has drawn our attention specifically to Barrow’s Brow Cottage and Barrow’s Brow Farm. These neighbouring semi-detached cottages use to be one building, which has been extended and subdivided in two. Whilst our records show that Barrow’s Brow Farm has been extended by 56%, it is more difficult to calculate the increase in floorspace of Barrow’s Brow Cottage, as it is unclear what the original floorspace of the house is.

It is considered that the extensions proposed at Bramble Cottage would elongate the building, particularly due to the continuation of the ridge line, which, in addition to the existing extensions is a significant alteration to the original building. The proposal is considered to detract from the character and appearance of the original building, and reduces the openness. As openness is one of the key attributes of the Green Belt, this should be given substantial weight.

As the original building was modest, any extensions to it will have a notable impact. It is considered that the set back on the front elevation of the extension by 0.5m is an overall

improvement to the scheme, however, it is considered that the extensions still constitute a disproportionate addition over and above the size of the original dwelling.

The extension will be clearly visible from the rear garden and surrounding vantage points to the south, as the property is set back in the plot, and due to the topography and landscaping of the site.

The cottage already benefits from basic amenities, and the floorspace of the rooms are considered to be useable and habitable, therefore the proposal is not considered to fall within this exception under GC12.

As the proposal is considered to represent a disproportionate addition to the original dwelling, the development is deemed inappropriate. Inappropriate development is by definition harmful to the Green Belt, and should not be allowed, except in Very Special Circumstances. No Very Special Circumstances have been advanced by the applicant to clearly outweigh the harm caused by inappropriateness.

### **Conservation Area/ Setting of Listed Building**

The property is not specifically referred to in the listing to Barrow's Brow Farm, and it remains unclear as to whether the buildings were built at the same time.

The Conservation Officer raises an objection to the proposal, as he considers that the building was originally subservient to Barrow's Brow Farm as an outbuilding. He considers that the volume of existing and proposed extensions would break the historical relationship between the buildings, as it would no longer be read as a subservient building.

The Planning Inspectorate have previously considered this issue, and concluded that an addition to the western elevation could not affect the setting of the Listed Building as it is away from the Listed Building.

As the building is not listed in its own right, and it is unclear whether or not it is curtilage listed, the argument raised by the Conservation Officer in respect to the subservience of the building cannot be substantiated.

### **Amenity**

The proposal is not considered to raise any significant amenity issues.

### **Highways**

There would be no adverse impact in terms of parking or highway safety as sufficient parking would remain within the site for a property of this size.

### **Ecology**

The proposal does not raise any ecological issues.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

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The extensions proposed, in addition to the existing extensions are considered to be disproportionate over the floorspace of the original dwelling permitted in 2010. The extensions, if permitted would represent a 71% increase in floorspace. Whilst this increase alone may be considered sufficient to warrant a refusal of the application, particular attention should be paid to the history of this building, and the modest scale of the cottage.

The development is considered to represent inappropriate development in the Green Belt. No Very Special Circumstances have been advanced to clearly outweigh the harm caused by inappropriateness or any other harm.

By virtue of its size and position, the development is also deemed to have an adverse impact on the openness of the Green Belt. As openness is one of the key attributes of the Green Belt, this should be given substantial weight.

The proposal is not considered to harm the setting of the Listed Building, due to the set back on the frontage, and as the extension is to the west of the property. The impact on the Conservation Area is considered to be limited.

In conclusion, whilst it is recognised that neighbouring properties have benefitted from substantial extensions, each case should be considered on its own merit. The cumulative and incremental extensions to the property are considered disproportionate, and therefore inappropriate, and the development will harm the openness of the Green Belt. No Very Special Circumstances have been advanced to outweigh the harm caused by inappropriateness and any other harm, and therefore a recommended for refusal is made.

Application for Householder

RECOMMENDATION: Refuse for the following reasons

1. R04LP - Contrary to Green Belt / Open Countryside policies



