



Appeal Decision

Site visit made on 25 February 2020

by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 March 2020

Appeal Ref: APP/A0665/D/19/3242262

10 Longstone Lane, Little Budworth, Tarporley, Cheshire CW6 9ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr C Furmedge against the decision of Cheshire West & Chester Council.
 - The application Ref 19/02214/FUL, dated 3 June 2019, was refused by notice dated 17 October 2019.
 - The development proposed is the erection of a detached garage in the rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage in the rear garden of No. 10 Longstone Lane, Little Budworth, Tarporley, Cheshire CW6 9ET in accordance with the terms of the application, Ref 19/02214/FUL, dated 3 June 2019, subject to the following conditions:
 - 1) the development hereby permitted shall begin not later than 3 years from the date of this decision;
 - 2) the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing dwelling;
 - 3) the development hereby permitted shall be carried out in accordance with Drawing No. CF-2019-17.

Main Issues

2. These are: the effect on the character and appearance on No. 10 Longstone Lane and adjoining properties and the implications for the living conditions of No. 9 Longstone Lane with reference to visual impact.

Reasons

3. With a ridge height of some 6.8m and an eaves height of some 3.3m, the garage would be a tall single storey building. It appears similar to an existing structure in the rear garden of No. 1 Longstone Lane. No. 10 is a 2-storey semi-detached house with a deep rear garden and the garage would be set back from the main rear elevation. Thus, despite its height the garage would appear subordinate to the main dwelling. Views from the north-east and east would be limited by distance and intervening tree and hedge planting with the garage seen against the backdrop of a row of 2-storey dwellings. From the south and west, views would be obscured by the existing houses. Views from Longstone Lane to the north-west would be limited by the roadside hedgerow and the garage seen against a backdrop of dense tree planting beyond. For

these reasons, the proposed garage would not be an intrusive feature and would not unacceptably affect the character and appearance of No. 10 Longstone Lane and adjoining properties.

4. Most of the common boundary with No. 9 is formed by a tall, dense deciduous hedge with an average of height of some 3m, which, even in winter, forms an effective screen. As such only the roof plane and a small part of the gable wall would be visible from the garden of No. 9. Moreover, the effect on the users of No. 9 and its garden would be mitigated by the extensive open aspect to the rear and the hipped design of the gable end. As such the garage would not appear unacceptably overbearing when viewed from the rear garden of No. 9.

Conclusion

5. The garage would not adversely affect the character or appearance of this row of dwellings or have an unacceptable effect on the living conditions of the occupiers of No. 9. Accordingly, there would be no conflict with Policy SOC 5 of the Cheshire West and Chester Local Plan (Part One) and Policies DM 2 and DM 21 of the Cheshire West and Chester Local Plan (Part Two) which seek to protect the living conditions of nearby residents and the appearance of the area. Accordingly, having taken all other matters into consideration, this appeal is allowed.

Conditions

6. In the interest of appearance and to provide certainty, conditions relating to the use of materials to match the existing dwelling and specifying the relevant drawing have been imposed.

George Baird

Inspector