
Appeal Decision

Site visit made on 19 May 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2020

Appeal Ref: APP/A0665/D/20/3246588

Oakwood, Dalefords Lane, Marton, Winsford, Cheshire West and Chester CW8 2BW

- 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 and Mrs A Meegan against the decision of Cheshire West & Chester Council.
 - The application Ref 19/03568/FUL, dated 24 September 2019, was refused by notice dated 6 January 2020.
 - The development proposed is replacement of single storey garden room with two-storey domestic extension.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of single storey garden room with two-storey domestic extension at Oakwood, Dalefords Lane, Marton, Winsford, Cheshire West and Chester CW8 2BW in accordance with the terms of the application, Ref 19/03568/FUL, dated 24 September 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 development hereby permitted shall be carried out in accordance with the following approved plans: A_272_01; A_272_02; A_272_03; A_272_04; A_272_11; A_272_12; A_272_13; and A_272_14.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the housing mix in the area.

Reasons

3. Oakwood is a detached two storey dwelling located within a row of large detached residential properties on the northern side of the lane. The properties fall within the small settlement of Daleford which lies in the Open Countryside and the Whitegate and Marton Neighbourhood Plan area.
4. Policy 1 of the Whitegate and Marton Neighbourhood Plan 2015-2030 (NP) explains that housing development which meets the requirements of Policy STRAT 9 of the Cheshire West and Chester Council Local Plan (Part One) Strategic Policies (LP1), including replacement buildings and reuse of existing rural buildings for conversion should meet the needs of the local community for smaller properties. It also says that the significant enlargement of existing residential properties will not normally be permitted (e.g. over 30% of the floor

- space of the original dwelling). Larger extensions will only be permitted where spaces between properties can be maintained and the character of the area will not be harmed.
5. According to LP1 Policy STRAT 9 development in the countryside must be of an appropriate scale and design to not harm the character of the countryside. LP1 Policy ENV6 and Policy DM21 of the Cheshire West and Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies (LP2) also jointly seek high quality design and development that is in keeping with the character and appearance of the area. The proposal would, in my view, harmonise with the host property and be in keeping with the character and appearance of the area.
 6. LP2 Policy DM21 further requires development to be subordinate to the original dwelling and surrounding properties, and the wider setting. The explanation to the policy explains that as a general guide, subordinate and small-scale extensions should not increase the size of the original dwelling by more than 30%. This percentage increase is also reflected in NP Policy 1. The proposed extension would replace an existing single storey extension and result in an increase to the overall floor space by around 27%. Hence, the appeal scheme would not conflict with LP2 Policy DM21 or NP Policy 1 in this regard.
 7. The NP explains that Whitegate and Marton contains a high proportion of large detached dwellings which has been perpetuated by development over the last 10 years. The NP sets out the effect this has on: local first-time buyers; young families with restricted income; and older persons looking to downsize and stay local. To address this, *dwellings should normally be between one and three bedrooms in size...and the redevelopment of existing residential properties will be expected to provide a similar number of bedrooms to the existing property.*
 8. The proposal would increase the existing number of bedrooms from 3 to 4. However, the appeal property was granted planning permission in 2002 as a 4-bedroom dwelling (Ref: APP/2002/1822). The approved dwelling was later built but made into a 3-bedroom dwelling without changing the dwelling's footprint. I understand this was due to circumstances at the time. While NP Policy 1 'normally' seeks dwellings of 1 to 3 bedrooms, this is not an outright restriction on dwellings with more than 3 bedrooms either. Even so, the proposal would result in the same number of bedrooms as the approved dwelling. There is also no evidence to suggest that the studwork that was supposed to split bedrooms 2 and 4 in the approved dwelling could not be erected and the dwelling reverted into a 4-bedroom dwelling in any event.
 9. This leads me to consider that no harm would result from the appeal scheme. Thus, the proposal would not be contrary to NP Policy 1 and its aim to provide housing that meets the needs of the local community for smaller properties.

Conclusion and conditions

10. I have imposed a plans condition in the interests of certainty and in the interests of maintaining the housing mix in the area. I have also imposed a matching materials condition in the interests of ensuring the extension harmonises with its host and the character and appearance of the area.
11. For these reasons, I conclude that the appeal is allowed.

Andrew McGlone

INSPECTOR