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## Appeal Decision

Site visit made on 1 September 2020

**by M Shrigley BSc (Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2 October 2020**

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**Appeal Ref: APP/A0665/W/20/3252815**

**Apple Barn and Pear Barn, Drakelow Gorse Farm, Yatehouse Lane, Byley, Northwich CW10 9NS**

- 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 Patrick Seed against the decision of Cheshire West & Chester Council.
  - The application Ref 19/04211/FUL, dated 18 November 2019, was refused by notice dated 24 January 2020.
  - The development proposed is "change in use of land and construction of two detached garages for two existing dwellings (retrospective)".
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### Decision

1. The appeal is allowed, and planning permission is granted for change of use and construction of two detached garages for two existing dwellings at Apple Barn and Pear Barn, Drakelow Gorse Farm, Yatehouse Lane, Byley, Northwich CW10 9NS in accordance with the terms of application, Ref 19/04211/FUL, dated 18 November 2019.

### Procedural Matters

2. At my site visit I could see that the garages had already been constructed and were substantially complete. The appeal plans detailing the development are consistent with what I observed.
3. The description of the development from the planning application form refers to change of use of land. Both parties indicate that the garages erected are for ancillary domestic purposes serving the existing residential properties and the remaining land within the appeal site used as garden. I have determined the appeal on that basis.

### Main Issue

4. The effect of the development on the character and appearance of the area within the open countryside.

### Reasons

5. The appeal site comprises of former agricultural barns which have been converted to residential use, located within the open countryside. The garages are positioned to the front of Apple Barn and Pear Barn, either side of a shared central driveway. Beyond the converted barn complex the character of the area consists of open fields, trees and rural lanes lined by hedgerow.

6. Whilst there is some partial encroachment into land beyond that originally approved for the historical residential conversion scheme for the site<sup>1</sup> it is of a minor nature next to an existing shared access drive already serving occupied dwellings. Aside from the garages the land concerned comprises of soft landscaping and mostly sits behind hedgerow adjacent to the highway.
7. Although the garages are detached, they are closely grouped with the converted barn buildings in residential use and therefore seen in that context. The roof ridge height of the garages is only slightly lower than that of the barns, but because of their smaller footprint they appear subservient to the two dwellings they serve. I also note that the garages have a rustic appearance comprising of blackened timber and cedar roof shingles which contrast with but also complement the external facing bricks and tiles of the barns.
8. I acknowledge that the roofs of the garages are noticeable from public vantages along Yatehouse Lane and further afield, but they do not appear out of kilter with the prevailing open rural character of the area as they are seen against the backdrop of the other larger existing buildings. The garages do not unduly compete with the barns in visual terms as they appear as attractive ancillary buildings.
9. For these reasons the appearance and position of the garages integrate well with the design of the converted barns and the countryside surroundings. I appreciate that part of Policy DM21 of the Cheshire West and Chester Local Plan Part Two advises that in the countryside, outside of identified settlements proposals for the extension of residential garden land will be resisted but there is no visual harm arising either from the physical appearance of the garages or the associated ancillary domestic use of the land, which is next to a residential driveway.
10. Accordingly, I find that there is no harm to the character and appearance of the area. The development complies with Policies STRAT 9 and ENV6 of the Cheshire West and Chester Local Plan Part One which protect the intrinsic character and beauty of the countryside and support high quality design, it is within the spirit of Policies DM21 and DM3 of the Cheshire West and Chester Local Plan Part Two, which require development to be in keeping with the character and appearance of other buildings and the local setting within as well of the provisions of Section 12 of the National Planning Policy Framework (2019) encouraging good design.

## **Conclusion**

11. For the reasons given above I allow the appeal.

*M Shrigley*

INSPECTOR

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<sup>1</sup> Planning Authority reference 17/01659/S73