
Appeal Decision

Site visit made on 6 October 2020

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/A0665/D/20/3257471

4 Moorlands Park, Cuddington, Northwich CW8 2LY

- 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 Stuart Jones against the decision of Cheshire West & Chester Council.
 - The application Ref 20/00975/FUL, dated 12 March 2020, was refused by notice dated 9 July 2020.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 4 Moorlands Park, Cuddington, Northwich CW8 2LY in accordance with the terms of the application, Ref 20/00975/FUL, dated 12 March 2020, 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: 21/20/4 Rev 'A', 21/20/3 Rev 'A', 21/20/BP Rev.'A'.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

Procedure Issue

2. The Council have referred to 'The Draft Supplementary Planning Document (SPD) on house extensions and domestic outbuildings', given that this SPD has yet to be adopted and does not form part of the Development Plan, I have given this limited weight.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

4. Moorlands Park is a residential street forming part of a wider estate characterised by a mix of semi-detached, detached two storey houses and bungalows. The properties vary considerably in their individual characteristics and form with many having had alterations and later additions.

5. The property forms a pair of semi-detached dwellings of similar appearance in width, characterised with some identical features including gable roofs, and a front single-storey projection. The appeal property is positioned on a corner plot and therefore the front elevation faces towards the turning head and the side elevation faces towards the wider roadway of Moorlands Park.
6. The proposed two-storey extension would replace the attached existing single-storey flat roof garage, thus having a similar footprint. The two-storey extension would be set back from the front elevation and sit below the main roof of the house and be of materials to match. Therefore, it would not appear as a dominant addition and would be subservient to the host property.
7. Although, the corner position of the property along Moorlands Park would result in the proposed extension being visible in the street scene towards both the turning head / end of cul-de-sac and further along the street. The width would be similar to the existing garage and the fenestration would be consistent with the existing, particularly to the frontage, with no openings to the side gable elevation. The plans clearly show that there would be a sufficient gap between the proposed extension and the footway. Moreover, I have no evidence to suggest that the existing vegetation adjoining the footway would be removed or the existing side / rear wall and fence boundaries enclosing the garden area.
8. For these reasons, I find that the two-storey extension would not have an excessive width or length and would not result in overdevelopment, of cramped or incongruous appearance within the site. Its relatively modest size and design means that it would not appear as a prominent addition to the detriment of the existing character and appearance of the property and the wider street scene.
9. Therefore, it would accord with Policy ENV6 of the Cheshire West and Chester Council Local Plan (LP), Part One: Strategic Policies, 2015 and Policy DM21 of the LP, (Part Two) Land allocations and Detailed Policies, 2019 which taken together, requires development to respect local character and achieve a sense of place through appropriate layout and design; the extension to existing dwellings, is in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and the wider setting. It would also not be at odds with the supplementary planning guidance (SPG), the Vale Royal Borough Council SPG3: House extensions - A design guide, 1996.
10. I also find that there would be no conflict with the guidance contained within the National Planning Policy Framework, relating to good design.

Conditions

11. The Council has indicated the conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance (PPG).
12. A condition specifying the time limit and approved plans is necessary as this provides certainty. I have imposed a condition specifying materials are to match the existing building in order to safeguard the character and appearance of the area.
13. The Council has also suggested conditions in respect of windows and the restriction of permitted development rights for openings. Given the scale, nature of the development and there are already existing rear windows I

consider that this is not necessary. In regard to restricting further openings of the development and permitted development rights there is no clear justification to do so and it would not pass the test for necessity.

Conclusion

14. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

KA Taylor

INSPECTOR